

An Analysis of the Secure Rural School and Community Self-Determination Act of 2000 on National Forest Lands

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Changing the Funding Structure: An Analysis of the Secure Rural School and Community Self-Determination Act of 2000 on National Forest Lands

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EXECUTIVE SUMMARY

The Secure Rural Schools and Community Self-Determination Act of 2000 ("the Act") is effectively meeting its stated purposes as set forth by Congress on National Forest lands. Payments have been stabilized, investments on Federal lands have increased, and cooperative relationships have improved since passage of the Act.

Purpose one of the Act calls for the stabilization of road and school fund payments to counties from Title I funds. The Act stabilizes payments to those counties that choose to opt in because a predetermined amount of funding is available to individual counties on an annual basis (the funding amount is adjusted at one half the rate of the consumer price index in each successive year).

- 550 of 717 eligible counties (76.6%) opted in to the Act when first given the opportunity in FY 2001. An additional 65 eligible counties opted in to the Act in FY 2003, bringing the total to 615 of 717 eligible counties, or 85.8%. The counties that opted in represent 39 of the 41 states with eligible counties as well as Puerto Rico.
- The vast majority of eligible counties received more money from the Act than they would have by remaining under the 25% Fund Act, and the annual payments are more stable.

Purpose two of the Act calls for additional investments and employment opportunities on or adjacent to Federal lands from Title II projects. Projects on Federal lands have increased in both number and funding amount from the inception of the Act to the present. The Act's effect on job creation requires further study.

- At least 1,168 Title II projects have been recommended on or adjacent to National Forest lands by Resource Advisory Committees during the Act's first two years.
- Approximately \$88 million has been placed into Title II funding during the Act's first three years, which will all be used towards investments on or adjacent to National Forest lands. Additionally, approximately \$94 million has been placed into Title III funding, a portion of which will be used towards investments on or adjacent to National Forest lands.

Purpose three of the Act calls for improved cooperative relationships among the people that use and care for Federal lands. Surveys and personal interviews suggest that these relationships have improved from the inception of the Act to the present.

- On average, RAC members, Forest Service officials, and county officials all feel that relationships between and among these groups have improved as a result of implementation of the Act in general and creation of Resource Advisory Groups in particular.
- Interviews and surveys with individuals involved with Title II & III funding suggest overwhelming support for renewal of the Act beyond FY 2006.

EXTENDED ABSTRACT

The Secure Rural School and Community Self-Determination Act of 2000 (PL 106-393, hereby referred to as "the Act"), is effectively meeting its stated purposes as set forth by Congress on National Forest lands. This study employed the use of historical data, survey responses, and structured personal interviews to examine the success of the Act in achieving its three purposes. Overall, strong support exists for the Act in general and Resource Advisory Committees in particular.

Objectives

The intent of this study is to examine Titles I, II, and III of the Act in order to determine how well the different requirements of the law, and its implementation to date, have achieved the stated purposes of the legislation. According to § 2 (b) of PL 106-393, the purposes of the Act are as follows:

- 1. To stabilize payments to counties to provide funding for schools and roads that supplements other available funds.
- 2. To make additional investments in, and create additional employment opportunities through, projects that improve the maintenance of existing infrastructure, implement stewardship objectives that enhance forest ecosystems, and restore and improve land health and water quality. Such projects shall enjoy broad based support with objectives that include but are not limited to—
 - Road, trail, and infrastructure maintenance or obliteration;
 - Soil productivity improvement;
 - Improvements in forest ecosystem health;
 - Watershed restoration and maintenance;
 - Restoration, maintenance, and improvement of wildlife and fish habitat;
 - Control of noxious and exotic weeds;
 - Reestablishment of native species.
- 3. To improve cooperative relationships among the people that use and care for Federal lands and the agencies that manage these lands.

Methodology

Purposes one, two and three of the Act were all analyzed using existing data. Additionally, surveys and interviews were used to analyze much of purpose three and a portion of purpose two of the law. Two separate surveys were administered to Forest Service officials and Resource Advisory Committee (RAC) members and thirty-six in-depth structured interviews were conducted with Forest Service officials, RAC members, and county officials (six Forest Service officials involved with RACs, eighteen RAC members, six county officials with funds in Title II and six county officials with at least \$100,000 in Title III but no funds in Title II).

While research focused on the purposes of the law, many other ancillary issues, particularly those related to Title II funding, were also examined in great depth. Furthermore, Resource Advisory Committees were ranked according to the amount of money that they had available to them during Fiscal Year 2002 in order to determine if available funding amounts affect RAC members' perceptions or their committees' success:

Small RAC: Under \$200,000 available (FY 2002)

Medium RAC: \$200,000-\$800,000 available Large RAC: More than \$800,000 available

Purpose one focused exclusively on Title I funding. Purposes two and three generally focused on Title II funding. However, attempts were made to incorporate information about Title III funding when it was relevant to the purposes of the Act.

This study does not examine Federal payments and Resource Advisory Committees located on BLM Oregon and California Railroad grant lands (O&C lands) or Coos Bay Wagon Roads lands in the state of Oregon as these lands have had other committees associated with them since the mid 1970s. A number of individuals have been involved in both current and former advisory committees and it is therefore plausible to assume that actions and opinions of BLM Resource Advisory Committee members and BLM officials may be significantly different from those of more recently formed Forest Service RACs. Therefore, nationwide fiscal and geographic data used in this study only includes those RACs established by the Forest Service. However, it must be emphasized that the amount of funding received from BLM lands is significant, bringing in over \$111 million dollars in FY 2003 alone.

Observations Regarding Purpose One: Stabilization of Payments

- Title I funding does stabilize road and school payments to those counties that opt in to the Act simply because the amount of money received by a county remains constant from year to year (increasing at one half the rate of the consumer price index for rural areas each year).
- On average, the amount of funding received by a jurisdiction increases significantly when moving from the 25% fund to the stable payment. Consider the 25% fund payments for the fiscal years preceding the passage of the Act. The payments received by all 717 eligible counties totaled \$229.5, \$206.2, and \$191.6 million respectively during FYs 1998-2000. After passage of the Act, the full payments made to the jurisdictions that opted in to the law totaled \$371.0, \$373.9, and \$388.8 million for FYs 2001-2003 respectively. This is an increase of approximately 100%, without even accounting for the funds for jurisdictions that chose to remain under the 25% fund.
- 76.6% of eligible counties chose to opt in to the Act in FY 2001. An additional 9.2% of counties chose to opt in to the Act in FY 2003, bringing the total to 85.8%. It is speculated that almost all chose to do so for financial reasons, however, stability of payments was also a factor.
- Of the jurisdictions that decided not to opt in to the law, it is assumed that most chose not to opt in because more money is available to them through the 25% fund than through the Act. However, there are many other reasons that may

- compel a jurisdiction to remain with the 25% fund including a county's reliance on a funding source other than logging.
- Jurisdictions in the western and southern states have been most likely to opt in to the Act while fewer counties in the Great Lakes states have accepted the full payment. Again, these decisions appear to be related to present day revenues generated by Federal timber harvest in those regions.
- Over 80% of all funding of the Act is paid to the states of Alaska, California, Idaho, Montana, Oregon, and Washington (excluding funds from O&C counties. If those funds were included, the percentage would be significantly higher).

Observations Regarding Purpose Two: Investments on Federal Lands

- Title II projects are designed to meet the intent of purpose two of the Act. Some Title III projects meet the intent of purpose two, but many do not.
- A number of steps must take place in order for investments to be made on Federal lands under Title II of the law: (1) a county must opt in to the Act and then must (2) allocate funds into Title II. Then, (3) a RAC must be created by the Forest Service, with input from its respective counties. Finally, (4) a RAC must recommend projects that (5) must be approved by the Secretary of Agriculture. All of the above actions have taken place with increasing frequency from FY 2001 to 2003.
- Significant additional investments to Federal lands are being made by projects funded through Titles II and III of the Act. However, it is unclear whether significant additional employment opportunities are being created as well.
- During the first two years of the Act, 534 and 634 projects were recommended and approved on or adjacent to Federal lands respectively for an approximate total of 1168 projects (some RACs have yet to place their projects on the national database, so the number of projects is actually higher than this). As counties continue to place more funds into Title II, the number of recommended projects will almost certainly continue to increase in future years.
- Approximately \$88 million has been placed into Title II and \$94 million has been placed into Title III during the first three years of the Act. All of the Title II funding and some portion of the Title III funds will be allocated towards investments on or adjacent to Federal lands.
- According to the U.S. Forest Service RAC project database, 37.4% of all projects recommended have involved road, trail, and infrastructure maintenance or obliteration, 0.1% are soil productivity improvement, 23.3% are forest ecosystem health, 14.1% are watershed restoration and maintenance, 8.0% involve restoration and improvement wildlife and fish habitat, 8.1% are used to control noxious and exotic weeds, 2.0% are used for reestablishment of native species, and 7.1% are used for other purposes.
- Many projects undertaken on Federal lands can be placed into more than one work classification (for example, a culvert replacement could be considered road maintenance, watershed restoration, or improvement of fish habitat). Currently,

it is up to the Designated Federal Official or Committee Coordinator of an individual RAC to decide how to categorize a particular RAC project. More guidance may be needed from USFS national and regional offices in order to make the project classification system more streamlined and consistent.

- Because 50% of all projects within each RAC must be either road or watershed projects, there may be an incentive to bias projects towards these classifications in order to satisfy this requirement in the law.
- The vast majority of projects recommended by RACs originate with members of the U.S. Forest Service. This is not surprising considering that RAC projects must be conducted on or near Federal lands, however, some advisory committee members would like to see more worthy project proposals from other groups.
- The number of counties that have placed funds into Title II has increased from FY 2001 to FY 2003 while the number of counties that have placed funds into Title III has stayed the same, even though the number of counties opting in to the law has increased by approximately 9% during that time.
- Nationwide, eligible counties have placed more funds into Title II (at the expense of Title III) in each year since the passage of the Act. Counties that already have funds in Title II are more likely to place an additional percentage of funds into Title II in subsequent years.
- County officials that have decided to place funds into Title II believe that Title II funding better meets the collaborative intent (purpose three) of the Act when compared to Title III. In general, these same officials also believe that the success of Title II is crucial to the renewal of the Act past FY 2006.
- County officials that have decided against placing funds into Title II are
 concerned about losing discretion over funds that would otherwise be directly
 administered by their county. They also feel that the activities allowed under
 Title III better meet the needs of their county when compared to allowable
 activities under Title II.
- Resource Advisory Committees have increased in number, funding level, and geographic distribution during each successive year since the law was enacted.
- There are significant discrepancies between amounts of funding available from one RAC to another, which positively or negatively affect each RAC's ability to make investments on Federal lands.
- Some RACs with small available populations may face difficulties in recruiting diverse interests.
- There is almost no data currently available regarding the creation of new jobs as a result of the Act. However, the general feeling of those interviewed for this study was that jobs are not being created in significant numbers in rural areas.

Observations Regarding Purpose Three: Improved Cooperative Relationships

• RAC members, Forest Service officials, and county officials (with Title II funds) all feel that cooperative relationships have improved between and among their

respective groups as a result of the implementation of the Act in general and the creation of Resource Advisory committees in particular.

- There is more interfacing between groups with Title II funding as compared to Title III, suggesting that Title II funding is more effective at furthering cooperative relationships than Title III funding.
- On average, medium sized RACs have been more effective at leveraging funds than small or large sized RACs. It is surmised that small sized RACs do not have enough funds to leverage effectively while large sized RACs have enough funding available eschew leveraging funds (they also receive a higher number of project requests and cannot spend as much time with an individual proposal).
- Large RACs tend to expend large amounts of money in relatively few meetings while small and medium sized RACs tend to expend smaller amounts of money over the course of several meetings. This suggests that meetings for small and medium sized RACs may focus on relationship building just as much as they do on project recommendations.
- On average, the different interests interviewed and surveyed stated that cooperative relationships had improved between and among RAC members, Forest Service officials, and county officials. RAC members were most likely to note improved relationship amongst themselves as compared to other groups. According to the interviews, county officials and Forest Service officials both felt that cooperative relationships had shown greater improvement between these groups as compared to advisory committees.
- On average, survey respondents and interviewees strongly agreed that the Act should be renewed after FY 2006. In fact, questions regarding the renewal of the Act received the most favorable response of any question asked on the surveys and the in depth interviews. This is a strong indication that stakeholders feel that the Act is working well.
- The issue of allowing replacement members to vote when full members are not present is not a problem encountered by all RACs. However, it is a significant issue at certain RACs that have difficulty maintaining a quorum for meetings.
- On average, the vast majority of RAC members and Forest Service officials feel that their RAC is performing effectively regardless of the amount of funding available. RAC members of small sized RACs view the amount of funding available to them in a more positive manner than Forest Service officials of small sized RACs.

Conclusions

During its first three years of existence, the Secure Rural School and Community Self-Determination Act has effectively met its stated purposes as set forth by Congress. Payments to states and counties for road and school funding have been stabilized, especially when compared to the fluctuation in payments experienced under the 25% fund. At least 1,168 Resource Advisory Committee projects have been recommended and subsequently approved for implementation during the Act's first two years. Additionally, approximately \$88 million in Title II projects and \$94 million in Title III projects have been allocated on National Forest lands during the Act's first three years.

Lastly, interviews with RAC members, county officials, and Forest Service officials and surveys of RAC members and Forest Service officials along with available data suggest that cooperative relationships are being improved in areas where RACs are located.

Though they do not directly affect the successful implementation the law's stated purposes, this report has also noted some areas where the Act is not working well or could use more clarification. These include the lengthy RAC appointment process, the requirement that alternate RAC members cannot vote when full members are not present, the limited use of the Merchantable Material Contracting Pilot Program, and how to determine which RAC projects should be counted towards what this study has called the 50% roads/watershed clause. Additionally, further research is required to analyze how Title III funding is being used, how RAC projects are being monitored, and the relationship between Title II funding and job creation, both long and short term.

INTRODUCTION

On October 30, 2000, Congress passed Public Law 106-393, the "Secure Rural School and Community Self-Determination Act of 2000" in order to offset the effect of decreased revenues available to counties from declining timber harvests as well as other income generating activities on Federal lands. PL 106-393, hereby referred to as "the Act," is often viewed as a significant departure from traditional forest policies, because it decouples the relationship between forest receipts and Federal revenues to states and local jurisdictions (usually counties) and also authorizes the creation of citizen advisory committees to recommend projects on National Forest lands. The Act does not replace revenue sharing laws but allows counties to choose an alternate level and method of payment receipt if they so desire.

Between June of 2003 and May of 2004, the Environmental Science and Public Policy Research Institute at Boise State University conducted an analysis of the Act. This study focuses upon whether the stated purposes of the Act are being met through the way in which it is currently being implemented. Unless renewed, the Act will sunset at the end of Fiscal Year 2006. In essence, this study provides a snapshot of the Act at its midpoint and seeks to ascertain whether it should be renewed and, if so, what changes could be made to the law to make it more effective. Special attention is given to understanding the genesis of Resource Advisory Committees (RACs) under Title II of the Act.

Study Objectives

The intent of this study is to examine Titles I, II, and III of the Act in order to determine how well the different requirements of the law, and its implementation to date, have achieved the stated purposes of the legislation. According to § 2 (b) of PL 106-393, the purposes of the Act are as follows:

- 1. To stabilize payments to counties to provide funding for schools and roads that supplements other available funds.
- 2. To make additional investments in, and create additional employment opportunities through, projects that improve the maintenance of existing infrastructure, implement stewardship objectives that enhance forest ecosystems, and restore and improve land health and water quality. Such projects shall enjoy broad based support with objectives that include but are not limited to—
 - Road, trail, and infrastructure maintenance or obliteration;
 - Soil productivity improvement;
 - Improvements in forest ecosystem health;
 - Watershed restoration and maintenance;
 - Restoration, maintenance, and improvement of wildlife and fish habitat;
 - Control of noxious and exotic weeds;
 - Reestablishment of native species.

3. To improve cooperative relationships among the people that use and care for Federal lands and the agencies that manage these lands.

In the study, it is assumed that Title I was created to meet purpose one of the Act while Title II was created to meet both purposes two and three of the Act. Title III was created as a means of providing jurisdictions with an alternative to Title II (but may have some applicability under both purposes two and three of the Act). The objectives of the study are as follows:

Purpose One: This section reports on actions taken by different jurisdictions in order to draw conclusions as to whether payments to states and counties have stabilized under the law. Special attention will be given to the widespread application of the Act as well as some of the factors that may have affected a jurisdiction's decision to opt in to the Act or remain under the 25% Fund.

Purpose Two: This section analyzes the way in which Title II meets this purpose of the Act and explores how Title III may or may not meet this purpose of the Act. Recent Title II project data will be presented. County investments in Title II and Title III will be analyzed in order to discern funding and allocation trends. Factors regarding counties' decisions to place funds into Title II and/or Title III will be discussed. A discussion of RAC variations in funds and population will also ensue.

Purpose Three: This section examines the relationships between Forest Service officials, RAC members, and county officials in an attempt to answer the following questions:

- 1. Have Resource Advisory Committees improved cooperative relationships among/between RAC members, county officials, and Federal land management agency officials?
- 2. Is there general support for the continuation of payments to counties through the renewal of PL 106-393?
- 3. What effect, if any, does the size of the RAC (in terms of dollars allocated) have on its ability to function (in relation to other variables)?

Methodology

Purpose one of the Act was examined through the use of existing financial and statistical data regarding jurisdictional decisions to either opt in to the Act or remain under the 25% Fund. Information and data were collected primarily from the U.S. Forest Service,¹ though the National Forest Counties and Schools Coalition's website² and other sources were used.

Purpose two of the law was primarily analyzed through an examination of existing data of projects funded through the Act. Much of the same fiscal data used to analyze purpose one was also examined; however, specific documents concerning Title II and Title III moneys were obtained from regional Forest Service or county offices. Some questions specific to Title II and Title III fiscal allocations and Title II projects were also used to analyze purpose two from both in-depth interviews and surveys of RAC members.

¹ Data was compiled from Federal ASR-10 and ASR-18 forms. Additional data on Title II projects can be found at www.fs.fed.us/payments.

² http://www.forestco.tcde.tehama.k12.ca.us/

Purpose three of the Act was analyzed using both surveys (Phase A) and in-depth interviews (Phase B). Both phases of the study were conducted concurrently. Phase A focused exclusively on Resource Advisory Committees and involved the distribution of two on-line surveys,³ one for land management agency officials associated with Resource Advisory Committees (APPENDIX A) and one for RAC members (APPENDIX B). Forest Service officials (usually the Designated Federal Official and the Committee Coordinator) and RAC members from the 47 of the 48 RACs that were meeting *and* recommending projects as of the end of FY 2003 were asked to respond to each survey respectively.⁴

Phase B consisted of open-ended in-depth interviews with RAC members, Forest Service officials, and county officials. Two small, two medium, and two large RACs were visited (see APPENDIX C; RAC size will be discussed shortly). Four RAC meetings were attended at six of the interview locations. At each RAC location, one interview was conducted with either the Committee Coordinator or the Designated Federal Official (in one case, both were interviewed) and three interviews were conducted with RAC members, one from each category (for example, a grazing permittee would be interviewed from Category A, a member of a regional environmental group from Category B, and a school official from Category C). Information was also gathered about each RAC's internal processes through both attendance of RAC meetings and interviews.

Six open-ended interview sessions also took place with county officials from the county in which the corresponding RAC was located. In most cases, the interview was conducted with the county commissioner or county administrator, but in some populous counties, it was more feasible to interview county staff members who were more intimately involved in RAC processes. If the RAC was a multi-county RAC, county officials from the county that had placed the most Title II money into the RAC were interviewed.⁵

Finally, six open-ended interview sessions were conducted with county officials in counties that had placed *at least* \$100,000 into Title III but had no money in Title II as of FY 2002 (APPENDIX D). Counties were chosen that were in close proximity to a RAC interview so that separate trips were not required. Attempts were made to try to visit both urban and rural counties. A more detailed examination of these in-depth interviews can be found in the companion piece to this report: *In-Depth Interviews with Forest Service Officials, RAC Members, and County Officials.*

RAC Size: As alluded to in both the study objectives and methodology sections, the amount of funding available to an advisory committee in a given year is a variable which will be used both in this study and its supplementary documents (when appropriate) as a means of better understanding how differing funding amounts affect RAC members' perceptions. Different portions of the study will refer to advisory committees as small, medium, and large. As seen in APPENDIX C, small sized RACs

3 Respondents were given the option of either completing the survey on-line or filling out a written survey and mailing it back.

⁴ FY 2002 data is used as a baseline in this study because this was the most recent data available when the study began. The Ketchikan, AK RAC did recommend projects prior to the end of FY 2003. However, it is not included in Phase A of the study because the RAC had no Title II funds in FY 2002.

⁵ Interviews were conducted with between one to three county officials. In one case, a county official was interviewed from a county that provided the RAC with the second highest funding amount.

have less than \$200,000 available to them, medium sized RACs have between \$200,000 and \$800,000 and large RACs have more than \$800,000. These numbers are based upon funds available during the 2002 fiscal year and may not reflect the actual amount of funding available to a RAC at a given time because some RACs do not spend all of their funding from year to year.

Public Law 106-393⁶

Prior to passage of the Secure Rural School and Community and Self-Determination Act, many counties that contained National Forest lands were experiencing significant decreases in their 25% fund payments primarily as a result of sharply curtailed logging practices in most regions of the United States. Because 25% fund dollars are used to fund roads and schools, local jurisdictions found it increasingly difficult to maintain safe roads and adequately educate their children, especially in locales with limited tax bases. This problem was further exacerbated by Congress's inability to fully fund PILT payments, which, if funded at full payment value could have offset some of the financial shortfall (as seen in APPENDIX E, prior to FY 2001, PILT was being funded at less than 50% of full payment value). This often left rural jurisdictions with two options: either increase taxes or decrease services to citizens. Both options inevitably led to an inequitable situation in many rural areas when compared to urban areas not dependent upon timber receipts or other income generating activities on Federal lands.

Not surprisingly, groups representing different ideologies proposed different methods for increasing payments to rural jurisdictions. Environmental groups wanted to decouple payments from logging yields and create legislation similar to what had been accomplished under the safety net payments while multiple use groups wanted local committees to have extensive control over Federal lands management (they also advocated an increase in timber harvests). The final bill passed by Congress in late 2000 was ultimately a compromise between these two solutions. The Act effectively, though not permanently, amends the 25% fund and creates six separate "Titles;" the first three of which focus on how Federal forest payments can be utilized by local jurisdictions, citizens, and land management agencies. The Act is an optional law, which means that counties, boroughs, and parishes can either "opt in" to it, and receive payments under Titles I, II, and III, or remain under the 25% fund (or equivalent on O&C lands). Once a county has opted in, however, it cannot opt outeven if forest receipts eventually increase.

The combined income to a county from Title I, II, and III payments is often referred to as the "full payment." Full payment funding under the Act is calculated and appropriated in a similar manner to that of the 25% fund-with two very important caveats. Firstly, instead of basing funding for the full payment on forest receipts from the previous year, the payment is based upon an average the three highest 25% fund payments paid to each state from FY 1986 to FY 1999 (and adjusted at one half the rate of the consumer price index for rural areas every year).7 Secondly, moneys under the Act are placed into Title I, II, and III funds, each to be used for a specific purpose. The following is an explanation of Titles I, II, and III of the Act specific to the research conducted in this study. Local governments, not Federal or state governments, have discretion concerning placement of funds into Title II and Title III.

⁶ For an overview of some of the more important laws that have an immediate bearing on the Act, see APPENDIX E.

⁷ §101 (b) of PL 106-393.

Title I–Secure Payments For States And Counties Containing Federal Land: Title I funding, just like the 25% fund, is reserved for the benefit of public education and transportation and distributed pursuant to state law. All counties who receive more than \$100,000 available to them in their *full payment* are required by the Act to annually designate a minimum of 15% and a maximum of 20% of their full payment as Title II and/or Title III funds, with the remainder going to Title I. Counties that have a full payment of less than \$100,000 may keep all of their money in Title I, however, they may place *up to* 20% of their available funding into Title II and/or Title III if they so choose.

Title II-Special Projects on Federal Lands: Title II funds are reserved for projects used to improve natural resource conditions on Federal lands as recommended by Resource Advisory Committees (RACs); the formation of which are also authorized in Title II. In essence, RACs are composed of citizens, usually from the county or counties of which they are comprised, for the purpose of making recommendations for projects to be completed on or adjacent to Federal lands.

RAC members are appointed by the Secretary of Agriculture (or in the case of RACs on O&C lands, the Secretary of Interior) for three-year terms. Each RAC is composed of fifteen members that represent "community interests." Five members represent Category A, which is comprised of traditional resource based industry and mechanized recreational interests. Five members represent Category B, which is comprised of environmental and non-motorized recreational interests as well as archeological and historical interests. Finally, five members represent Category C, which is comprised of elected officials, school officials, and those representing tribal interests (see TABLE 1). The law calls for "balanced representation" from Categories A, B, and C, but does not require that all interests outlined in TABLE 1 have to be represented on the advisory committee. In addition, RAC members must reside in the state or states where the RAC is located.

TABLE 1: Community Interests Represented by RACs

Category A

- (i) organized labor
- (ii) developed outdoor user recreation, off highway vehicle users, or commercial recreation
- (iii) energy and mineral development interests
- (iv) commercial timber
- (v) Federal grazing permittee or other land use permittee

Category B

- (i) nationally recognized environmental organizations
- (ii) regionally or locally recognized environmental organizations
- (iii) dispersed recreation activities
- (iv) archaeological and historical interests
- (v) nationally or regionally recognized wild horse and burro interest groups

Category C

- (i) state elected office holder or their designee
- (ii) county elected office holder
- (iii) represent American Indian tribes within or adjacent to the area for which the committee is organized.
- (iv) school officials or teachers
- (v) affected public at large

Working in conjunction with Forest Service (or BLM) officials, RAC members make recommendations about projects on or adjacent to Federal lands using the Title II funds allocated to them by the county or counties that are located in the committee's geographic area. In order for the advisory committee to approve a project, a majority vote (3 out of 5) is required in *each* of the three subgroups which comprise the RAC, therefore *broad-based support is required* in order for passage of any project. Ultimate approval of all projects is required by the Secretary of Agriculture, however, this authority is delegated to the Forest Supervisor (or equivalent BLM official) of the forest on which the recommended project is to be implemented. Therefore, in this sense, the Forest Supervisor has veto power over all projects recommended by the RAC.

There are no fixed criteria regarding the manner in which advisory committees choose to solicit projects and conduct business. However, the Act does enumerate specific RAC project categorizations, which are reprinted in TABLE 2.8 Furthermore, the Forest Service requires that 50% of all project *funds* from each RAC must be used for (1) road maintenance, decommissioning, or obliteration or (2) restoration of streams and watersheds (project categories (A) and (D) in TABLE 2). To date, there have been no attempts to try to define through regulations or other direction what exactly comprises a watershed restoration project as opposed to a forest health project, so decisions regarding how to categorize a project remain with an individual RAC and its local Forest Service counterparts.

TABLE 2: Resource Advisory Committee Projects Under Title II of PL 106-393

- (A) road, trail and infrastructure maintenance or obliteration
- (B) soil productivity improvement
- (C) improvements in forest ecosystem health
- (D) watershed restoration and maintenance
- (E) restoration, maintenance and improvement of wildlife and fish habitat
- (F) control of noxious and exotic weeds
- (G) reestablishment of native species

BLM Advisory Committees: The issue of Bureau of Land Management Resource Advisory Committees under the Act is somewhat complicated because other BLM committees, which are structurally similar to those created by Title II, have been in place on BLM lands since 1995. Known as BLM Resource Advisory *Councils*, these groups are also composed of citizens who represent many of the same interests as Resource Advisory Committees and who also make recommendations on Federal

- 8 The types of allowable projects under Title II are identical to the types of projects enumerated in purpose two of the Act. However, the law states that Title II projects are not limited to those projects types specifically listed. On the other hand, Title III projects are limited to those project types specifically enumerated in the Act.
- 9 BLM Resource Advisory Councils were adopted in the mid 1990s as a part of the BLM's Healthy Rangeland Initiative (commonly referred to as "rangeland reform") to replace grazing advisory boards and district advisory councils that were originally established under the Federal Land Policy Management Act of 1976. The presumptive intent of these new advisory councils was to create a single advisory body representing diverse interests rather than continuing with committees dominated by livestock interests (either by design or through general perception). For more information on rangeland reform see: McIntyre, Peter. The road to rangeland reform: a history, review, and prospectus. www.fguardians.org/mcintyre/reform.htm.

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^{*}Projects are not limited to those enumerated in Title II.

lands. In fact, the general composition and structure of Resource Advisory Committees are very similar to that of BLM Resource Advisory Councils. ¹⁰ It is not surprising, then, that a portion of the verbiage used to create RACs under the Act was taken directly from the regulations used to promulgate BLM advisory councils. ¹¹ However, this is where the two groups diverge: Unlike advisory committees under the Act, BLM Resource Advisory Councils have no funds to distribute and may only make recommendations to BLM officials (as well as the Secretary of the Interior) about specific issues affecting the manage-ment of Federal lands.

BLM Resource Advisory Committees on O&C lands can easily be confused with BLM Resource Advisory Councils because both are referred to by the acronym "RAC." Furthermore, many of the BLM Resource Advisory Committees on O&C lands existed previously as BLM Advisory Councils. However, under the Act, existing BLM Resource Advisory Councils on O&C lands were required to conform to the rules governing Resource Advisory Committees after the passage of the Act. In short, BLM committees on O&C lands now operate under the same rules as other advisory committees under the Act while all other BLM Resource Advisory Councils continue to operate under the same manner that they have since 1995.

Because committees on O&C lands have already been in place for many years (as both advisory councils and other types of committees prior to 1995), BLM Resource Advisory Committees under the Act will not be examined in this study. A number of individuals have been involved in both advisory councils and advisory committees and it is therefore plausible to assume that actions and opinions of BLM RAC members and BLM officials may be significantly different from those of more recently formed Forest Service RACs. Therefore, nationwide fiscal and geographic data used in this study will only include those lands overseen by the Forest Service. It is important to recognize that funds under the Act from O&C lands are significant, accounting for approximately \$111.9 million to counties in the state of Oregon for FY 2003. Though this report focuses exclusively on National Forest lands, it is clear that funding to BLM lands is an important component of the Act not addressed in this study.

Title III–County Projects: According to § 302 (b) of the Act, Title III funds are controlled by county governments and are limited to the following prescribed actions as shown in TABLE 3:

¹⁰ Almost all of the individual interests represented in BLM Resource Advisory Councils are the same as those in Resource Advisory Committees (which helps to explain why citizens representing "wild horse and burro interests" are included in the Act, an interest more commonly seen on BLM lands). Similarly, on BLM advisory councils, members must be appointed by the Secretary of Interior and a majority in each subgroup must vote for recommendation (however, with BLM councils, recommendations made directly to the Secretary of Interior require a unanimous vote).

¹¹ See 43 CFR §1784 for rules regarding BLM advisory councils.

¹² National Forest Counties and Schools Coalition (2004). This includes funds from O&C lands as well as funds from Coos Bay Wagon Roads grant lands for Title I, II, and III funding. See the "Financial Data" link at http://www.forestco.tcde.tehama.k12.ca.us/.

¹³ PL 106-393 affects 18 counties on BLM lands in the state of Oregon. In comparison, the Act potentially affects 717 jurisdictions in 41 states and Puerto Rico on National Forest lands (including those same 18 counties in Oregon, which also contain eligible National Forest lands). While the amount of funding available to BLM lands is significant, the geographic area of impact is not.

TABLE 3: Allowable Special Projects Under Title III of PL 106-393

- 1. **Search, rescue, and emergency services**. An eligible county or applicable sheriff's department may use these funds as reimbursement for search and rescue and other emergency services, including fire fighting, performed on Federal lands and paid for by the county.
- Community service work camps. An eligible county may use these
 funds as reimbursement for all or part of the costs incurred by the
 county to pay the salaries and benefits of county employees who
 supervise adults or juveniles performing mandatory community
 service on Federal lands.
- 3. **Easement purchases.** An eligible county may use these funds to acquire:
 - A. easements, on a willing seller basis, to provide for nonmotorized access to public lands for hunting, fishing, and other recreational purposes;
 - B. conservation easements; or
 - C. both.
- 4. **Forest related educational opportunities**. A county may use these funds to establish and conduct forest-related after school programs.
- 5. Fire prevention and county planning. A county may use these funds for:
 - A. efforts to educate homeowners in fire-sensitive ecosystems about the consequences of wildfires and techniques in home siting, home construction, and home landscaping that can increase the protection of people and property from wildfires; and
 - B. planning efforts to reduce or mitigate the impact of development on adjacent Federal lands and to increase the protection of people and property from wildfires.
- 6. **Community forestry**. A county may use these funds towards non-Federal cost-share requirements of section 9 of the Cooperative Forestry Assistance Act of 1978 (16 U.S.C. 2105).

Unlike Title II projects, which are recommended by citizens, Title III project funding is solely under the discretion of the county.

However, one important distinction between Title II funds and Title III funds is that Title II moneys remain in the Federal Treasury while Title III (as well as Title I) funds are paid directly to states (and subsequently to counties). This is of concern because payments made directly to states may reduce a county's PILT payment (if that county uses the standard payment method) while Title II funds that remain in the treasury do not effect PILT. Though jurisdictions can choose the amount of funding to place into Title II and Title III, they must be aware that funds placed into Title III *may* count against their PILT payment while funds placed into Title II will not.

Legislative History of Title III: Early versions of the Act did not include Title III funding. As stated by U.S. Senator Max Baucus, D-Mont., (who originally proposed Title III) "Title III (is) an effort to give counties the option to focus on activities that are not necessarily 'on' Federal lands but that clearly relate to Federal lands." However, because Title III was added late in the process to ensure passage of the bill,

^{*}Projects are limited to those enumerated in Title III.

¹⁴ Page S8524 of the Congressional Record. Senate Bill S.1608, 106th Congress, 9/13/2000.

it does not fit particularly well with the purposes of the legislation. Attempts have been made in this report to tie Title III funding to the purposes of the Act, however, the relationship between the intents of the law and Title III are not as clear they are with Title I and Title II. Proponents of the original legislation (for example, some members of the National Forest Counties and Schools Coalition, the group principally credited with ensuring passage of the Act) have viewed Title III as an attempt to water down the cooperative aims of the Act (before it was added, all counties with over \$100,000 in their full payment would have been required to form a Resource Advisory Committee). However, others (like Senator Baucus) see Title III as beneficial because it increases the options available to county officials and gives them more fiscal control over RACs, if they choose to form one, because they can determine the amount of funding to place into Title II. Regardless of individual feelings about Title III, it is a significant addition to the Act and attempts will be made to compare it with Title II funding whenever possible.

Previous Research on PL 106-393

Little research has been conducted that is specific to the Act, in part because the legislation was passed in October of 2000 and funding has only been available for three fiscal years as of the date of this report. Shortly after the passage of the Act, Congress created the Forest Counties Payments Committee under § 320 of the Interior and Related Agencies Appropriation Act of 2001 and charged the Payments Committee with the task of developing recommendations for payments to states and counties that contain Federal lands. Established as an advisory committee to Congress, the Payments Committee has undertaken the most comprehensive analysis of the Act to date. The Committee used existing data in conjunction with a series of listening sessions in order to develop a number of recommendations about the law. Most importantly, the Committee recommended that the Act be renewed for a ten-year period after FY 2006 using the same payment structure and payment levels currently written into the law, though it suggests that "future payments should not be subject to annual appropriations."15 A number of minor recommendations were also suggested to make the law work more effectively. The report does not go into significant detail about Title II or Title III funding, but suggests that the types of work allowed under both Title II and Title III should be expanded.

As prescribed by § 204 (e) (3) of the Act, the United States General Accounting Office conducted a brief assessment of the Merchantable Material Contracting Pilot Program in 2003. The Pilot Program is designed to assist with the administration of Resource Advisory Committee approved projects, which result in a sellable product. The GAO found only 13 of approximately 1,300 RAC projects¹⁶ were "expected to generate merchantable material and thus be eligible for the pilot program" and "only 6 of these [were] expected to be conducted within the pilot program."¹⁷

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¹⁵ Forest Counties Payments Committee (2003). Recommendations for Making Payments to States and Counties Report to Congress, 43.

¹⁶ It is assumed that this figure includes projects from both Forest Service and BLM lands. It also may include projects that have been proposed in addition to those that have been approved.

¹⁷U.S. General Accounting Office (2003). Merchantable Material Contracting Pilot Program. GAO-03-596R.

Wilson¹⁸ examined three Resource Advisory Committees in Northern California in order to ascertain how RAC members felt about the work being conducted by the groups. Though the study did not focus on the legislation itself, Wilson found that these advisory committee members "perceived positive impacts resulting from RAC activities and projects" and were generally pleased with the RAC as a whole.¹⁹ The study focused on RAC members' previous involvement in collaborative processes as well as monitoring and evaluation. In 2001, the Association of Oregon Counties and Association of O&C Counties jointly released a report detailing the way in which the Act was implemented in the state of Oregon.²⁰ The document focused on the strategies used by the associations in order to collaborate with the Forest Service, BLM, and the counties in setting up all facets of Resource Advisory Committees. Finally, the National Association of Counties conducted a preliminary survey of counties who had chosen to place funds into Title III in an attempt to understand how funds are being used. The study results compiled to date are not statistically valid because only 32 of the 447 counties solicited (7.2%) responded to the survey.²¹

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¹⁸ Wilson, Lisa (2003). Resource Advisory Committees: Final Report of Findings from Survey and Interviews with Members of Three Committees in Northern California. Watershed Research and Training Center Working Paper Series, Hayfork, CA.

¹⁹ Ibid, 4

²⁰ Association of Oregon Counties and Association of O&C Counties (2001). The Oregon Experience: A Toolbox for Use in Implementing the Safety-Net Legislation. May 15, 2001.

²¹ National Association of Counties (2002). County Payments Election Survey. Preliminary Review— October 29, 2002.

Purpose One: Stabilize Payments to Counties for Roads and Schools

"To stabilize payments to counties to provide funding for schools and roads that supplements other available funds."

Though not expressly stated, Title I funding is the mechanism through which the Act has attempted to meet purpose one of the legislation; as only Title I provides funding for roads and schools. Furthermore, because the amount of funding available to a given jurisdiction is constant, the payment to an individual county has more stability than the 25% fund—which can be affected both positively and negatively by a number of factors including the price and demand for lumber, the relaxing or tightening of environmental regulations, and the overall state of the American economy. This section will briefly compare the full payment with that of the 25% fund payment in order to show how purpose one of the Act is better met through the widespread use of Title I funding. It will then examine data regarding counties that have decided to accept the full payment compared with those that have not–summarizing geographic variations and possible factors affecting county decisions to accept the full payment. Finally, an assessment will be made as to whether purpose one of the Act has been met to date.

Providing Stability: Title I vs. the 25% Fund

There is little doubt that road and school payments are stable under Title I funding. Under the Act, the original full payment amounts distributed to counties do not change from year to year when adjusted for inflation. Because counties can choose to allocate between 80% and 85% of their funds to Title I in any given year, Title I funding could conceivably change by as much as 5%. However, to date, very few counties have changed the Title I allocation they originally established in FY 2001. In any case, decisions to change Title I funding amounts are made solely by their respective counties.

On the other hand, counties have little discretion over fluctuations in the 25% fund. Valley County, Idaho is just one of many examples of the unpredictability of the payments. From FY 1986 through FY 2000, the county received payments totaling as little as \$400,000 and as much as \$4.3 million, almost exclusively from timber receipts²² (certain years of 25% fund payments were bolstered by salvage logging operations). As exemplified in TABLE 4, the amount of funding from year to year was anything but constant during this time, increasing in some years by over 75% only to decrease by as much as 50% in subsequent years (and decreasing in each of the last four years before the county opted in to the Act).

²² A large majority of counties receive(d) the bulk of their 25% fund payment from timber, though other income generating activities such as recreation and mining are important in portions of the country. Some counties have seen their 25% fund payment drop because of diminished logging activities (as is the case in TABLE 4), while others have been more affected by decreases in the price of timber.

TABLE 4: Federal Payments to Valley County, Idaho: FY 1986-2003

25% Payment Amount					
Fiscal Year	(thousands)	% Change			
1986	\$ 404.4				
1987	656.9	62.4%			
1988	920.9	40.2%			
1989	1,265.0	37.4%			
1990	1,405.8	11.1%			
1991	1,412.4	0.5%			
1992	2,444.7	73.1%			
1993	4,366.0	78.6%			
1994	3,826.8	12.4%			
1995	1,772.3	53.7%			
1996	3,182.1	79.6%			
1997	2,701.1	15.1%			
1998	1,490.1	44.8%			
1999	930.1	37.6%			
2000	731.8	21.3%			
2001	3,008.6	311.1%			
2002	3,032.7	0.8%			
2003	3,069.1	1.2%			

^{*}Payments *in italics* represent the full payment amount under the Act. Sources: U.S. Forest Service (2001); National Forest Counties and Schools Coalition (2004); Federal ASR-18 forms (2001-2003).

However, since the county has decided to accept payments under the Act, the amount available to the county has stabilized (after an initial increase of over 300%). Funding received by Valley County is guaranteed to remain stable through fiscal year 2006, increasing by half of the value of the consumer price index during each year.

Counties Accepting the Full Payment Under PL 106-393

Counties Accepting the Full Payment in FY 2001: Shortly after the Act was passed, all eligible counties were compelled to either accept the full payment under the new law or continue with the 25% fund. Of the 717 counties that were eligible for the stable payment, 550²³ or 76.7% initially decided to accept the new funding source in FY 2001. For a majority of counties, this decision was a rather simple one because the amount of money available to these counties under the Act was significantly more than the amount offered under the 25% fund. For example, Tuolumne County California received approximately \$520,000 as part of its 25% fund payment in Fiscal Year 2000.²⁴ As a result of accepting the full payment, the amount increased to approximately \$2.5 million in FY 2001, an increase of over 400%.

Counties Accepting the Full Payment in FY 2003: In Fiscal Year 2003, the 167 counties that chose to remain with the 25% fund were given another opportunity to opt in to

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²³The state of Vermont has chosen to accept the stable payment by school district rather than by county. The 550 counties reported include all seven eligible counties in Vermont, though only 31 of the 44 school districts in those counties actually agreed to accept the full payment in FY 2001. The rest remained under the 25% fund until FY 2003, when all 44 school districts chose the full payment option.

²⁴ National Forest Counties and Schools Coalition (2004).

the Act. This time, 65 more counties chose to take the full payment, bringing the total to 615 or 85.8%.

Geographic Differences: As outlined in APPENDIX F, the majority of counties that have accepted the full payment are located in the western and southern portions of the country while those areas that have remained under the 25% fund are primarily in the Great Lakes area. While the West and South have experienced significant declines in timber yields, the Great Lakes region has seen increased competition for timber sales in recent years. In many counties in Michigan, Wisconsin, and Minnesota, 25% fund payments are higher now than they have been during any time during the eligibility period of FY 1986-1999 used to determine payment amounts under the Act. Because of this, it makes more economic sense for these counties to continue with the 25% fund payment.²⁵

However, geographic differences can also be examined in financial (rather than spatial) terms. The Act clearly benefits the West over any other region of the country. Consider the six western states of Alaska, California, Idaho, Montana, Oregon, and Washington. The combined full payment for these states in FY 2001 totaled almost \$310 million of the \$371 million²⁶ available to the entire country (172 of the 177 counties in these states chose to opt in to the law in FY 2001). Compare this to the eight southern states of Alabama, Georgia, Louisiana, Mississippi, North Carolina, South Carolina, Tennessee, and Texas whose combined full payments total just over \$23.5 million (140 of the 144 counties in those states chose to opt in to the law in FY 2001).

Why a majority of counties accepted the full payment over the 25% payment: As evidenced in the above example, the primary and overriding rationale for accepting the full payment was to receive more money. To put it into perspective, the 717 counties that were paid under the 25% fund received approximately \$191.6 million in FY 2000. In the ensuing fiscal year under the Act, the 550 counties who opted in received just fewer than \$371 million from Titles I, II, and III. Add this to the \$15.5 million received by the 167 counties that remained under the 25% fund and the total comes to \$384.7 million, an increase of over 100% (see TABLE 5). This funding increment is significant. For example, all of the counties in the state of Oregon received approximately \$76.3 million collectively from Forest Service payments in FY 2000. Under the Act, the funding level jumped to almost \$155 million.

TABLE 5: Federal Payments to States on National Forest Lands: FY 1998-2003³¹

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Fiscal Year		Title I, II, and III Payments	Total		
1998	\$ 229.5	N/A	\$ 229.5		
1999	206.2	N/A	206.2	10.2%	
2000	191.9	N/A	191.9	6.9%	
2001	15.5	\$ 371.0	386.5	101.4%	
2002	11.5	373.9	385.4	0.3%	
2003	7.1	388.8	395.9	2.7%	

^{*}All payments in millions of dollars

²⁵ United States Forest Service (2001). List of 25% fund payments from FY 1986-1999 used in determining full payment amounts under the Act.

²⁶These financial figures and all subsequent financial figures in this study do not include funds from BLM RACs on O&C lands. The inclusion of BLM funds would add more than \$100 million in funds to the western states.

Another important factor supporting the move towards accepting the full payment has been the increased financial stability associated with Title I. One school official interviewed in this study whose county chose to accept the funding under the Act stated:

Before, the 25% payment was always an unknown. Every year, fluctuations would occur. You would have a few good years and begin to build a few positions and staff new people and then a bad year would come along and you would have to take that system apart again. That is not a good way to do business and it is difficult to keep good people around when that happens. Wild fluctuations hurt our organizational structure.

Simply knowing the level of funding a jurisdiction will receive on a yearly basis has been of great importance to many local governments. For this reason, some groups have begun to refer to the full payment as the "stable payment," signifying the importance of receiving a known amount of funding on a yearly basis.

Why some counties have remained with the 25% payment: In a minority of counties, the amount of funding available under the full payment was less than that of recent yields under the 25% fund. Therefore, it is surmised that many counties that decided to stay with the current system most likely did so for monetary reasons. This is particularly true of the Great Lakes region, which has increased timber harvests over the past several years. For example, Gogebic County, in Michigan's upper peninsula has seen increases in its 25% fund payment during every year but one from FY 1986-2000 (though there have been some fluctuation in the past few years).²⁷ In FY 2000, the county received a 25% fund payment of approximately \$461,000 (continually increasing from \$150,000 ten years earlier) and would have had an expected payment of only \$309,000 if it had chosen to accept payments under the Act.²⁸ This difference, coupled with the possibility of continued increases to the county's 25% fund, most likely made the Gogebic County's decision to continue with the 25% fund payment relatively simple.

In other cases, counties with more than \$100,000 in total funds were more likely to stay with the 25% fund payment in order to avoid having to place a minimum of 15% of their funds into either Title II or Title III. For example, if a county were to receive \$90,000 under the 25% fund and \$100,000 under the Act, county officials may decide to remain with the 25% fund because under the Act, only \$85,000 would be available for roads and schools (Title I funding).

Another possible factor is a county's reliance on an industry other than logging for maintaining 25% receipts. Though 25% fund payments are derived from a number of different uses, the vast majority of counties have historically received the bulk of that money from logging practices, which explains why 25% funds have declined as logging has declined in many parts of the country. However, in a handful of jurisdictions, funding from logging is less important than funding from other income generating enterprises conducted on Federal lands and included in the 25% fund payment. For example, Los Angeles County (the lone county in California that decided to remain under the 25% fund) derives a significant portion of its 25% fund

²⁷ United States Forest Service (2001). List of 25% fund payments from FY 1986-1999 used in determining full payment amounts under PL 106-393.

²⁸ National Forest Counties and Schools Coalition (2004).

from recreation user fees and income from these fees has continued to rise. In FY 2001, Los Angeles County received approximately \$557,000 from the 25% fund as a result of this (coupled with logging and other revenue generating actions). Had the county opted in under the Act, its payment would have been closer to \$450,000 during that year.²⁹

Finally, it is important to remember that once a county opts into the Act, it cannot opt out. If logging begins to increase, the county would not be able to profit from that increase. More research is needed to fully understand why some counties have decided to stay with the 25% fund. In some cases, the amount of money available may be so small that it is simply not worth opting into the law. For example, McHenry County, ND continues to receive a 25% fund payment of less than \$100. Though this amount would almost double if the county were to opt in to the Act, the increased funding is probably not significant enough to warrant this action.³⁰

Has Purpose One Been Met?: Purpose one of the Act has been achieved because road and school budgets of 85.8% of eligible counties have been stabilized. Counties that choose to opt in to the Act clearly receive consistent funding to their road and school budgets, especially when compared to the 25% fund. Furthermore, over 75% of eligible counties chose to opt in to the Act when first given the opportunity. This number suggests that the vast majority of eligible counties perceived the new funding mechanism more beneficial than the current one. When given a second opportunity to opt in to the law, an additional 9% of counties chose to do so, suggesting that these county officials had become convinced that the law is viable.

Observations Regarding Purpose One: Stabilization of Payments

- Title I funding does stabilize road and school payments to those counties that opt in to the Act simply because the amount of money received by a county remains constant from year to year (increasing at one half the rate of the consumer price index for rural areas each year).
- On average, the amount of funding received by a jurisdiction increases significantly when moving from the 25% fund to the stable payment. Consider the 25% fund payments for the fiscal years preceding the passage of the Act. The payments received by all 717 eligible counties totaled \$229.5, \$206.2, and \$191.6 million respectively during FYs 1998-2000. After passage of the Act, the full payments made to the jurisdictions that opted in to the law totaled \$371.0, \$373.9, and \$388.8 million for FYs 2001-2003 respectively. This is an increase of approximately 100%, without even accounting for the funds for jurisdictions that chose to remain under the 25% fund.
- 76.6% of eligible counties chose to opt in to the Act in FY 2001. An additional 9.2% of counties chose to opt in to the Act in FY 2003, bringing the total to 85.8%. It is speculated that almost all chose to do so for financial reasons, however, stability of payments was also a factor.

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²⁹ Ibid.

³⁰ Ibid

³¹ Though Title II funding amounts are included in TABLE 5, Title II is not considered a "payment to states" because the funds remain in the Federal treasury. Payments to Puerto Rico are also included.

- Of the jurisdictions that decided not to opt in to the law, it is assumed that most chose not to opt in because more money is available to them through the 25% fund than through the Act. However, there are many other reasons that may compel a jurisdiction to remain with the 25% fund including a county's reliance on a funding source other than logging.
- Jurisdictions in the western and southern states have been most likely to opt in to the Act while fewer counties in the Great Lakes states have accepted the full payment. Again, these decisions appear to be related to present day revenues generated by Federal timber harvest in those regions.
- Over 80% of all funding of the Act is paid to the states of Alaska, California, Idaho, Montana, Oregon, and Washington (excluding funds from O&C counties. If those funds were included, the percentage would be significantly higher).

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Purpose Two: Investments On or Adjacent to Federal Lands

"To make additional investments in, and create additional employment opportunities through, projects that improve the maintenance of existing infrastructure, implement stewardship objectives that enhance forest ecosystems, and restore and improve land health and water quality. Such projects shall enjoy broad based support with objectives that include but are not limited to—

- Road, trail, and infrastructure maintenance or obliteration;
- Soil productivity improvement;
- Improvements in forest ecosystem health;
- Watershed restoration and maintenance;
- Restoration, maintenance, and improvement of wildlife and fish habitat;
- Control of noxious and exotic weeds;
- Reestablishment of native species."

It is apparent that projects using Title II funds were meant to satisfy purpose two of the Act because the project types specifically stated in purpose two of the Act are identical to the types of projects that Resource Advisory Committees recommend. The question then revolves around whether resources are being applied to insure that work is being done on the ground to improve resource conditions on National Forests. This section will examine the steps required in order to approve a RAC project as a means of examining purpose two of the Act.

This section identifies five separate "steps" necessary for a RAC to be formed and ultimately approve Title II projects: First, a county must "opt in" to the Act as prescribed in Title I of the Act and described in the section dealing with purpose one of this report. Second, a county must allocate funds into Title II. A discussion of allocation trends towards Title II and/or Title III will ensue along with a discussion of the factors that affect a county's decision to place funds into Title II versus Title III. This section will also briefly touch on whether Title III has any applicability to this purpose of the law. Third, a RAC must be created. Information regarding the Forest Service's efforts to expedite RAC charters is presented along with a summary of some of the geographical and financial characteristics of RACs to date. Fourth, after the RAC is created and initial meetings are conducted to establish processes and procedures, the RAC must then approve projects. Data regarding the types of projects approved by RACs nationwide will be discussed along with the results of questions asked to RAC members about the approval of projects. Fifth and finally, the project must be approved by the Forest Service before it can go forward.

Each of the following steps must take place in order for a RAC project to be approved (though their order may be modified slightly). If any one of these does not occur, then additional investments on or adjacent to Federal lands will not take place and the Act's stated purpose will not be achieved. The focus of this section is to better understand how well these particular steps are being addressed nationwide in order to determine whether investments on Federal land are occurring.

Little information is presented here regarding the portion of purpose two that calls for the creation of "additional employment opportunities" from Title II projects. This is, admittedly, a very significant requirement of the Act that will not be fully addressed. However, because only two year's worth of fiscal data was available when this study began, an examination of job creation was deemed premature. This important question will have to be addressed through further research.³²

Step 1: Opting into PL 106-393

The process begins when a county chooses to opt in to the Act as prescribed in Title I. As previously stated, almost 77% of eligible counties chose to opt in to the law for FY 2001. This percentage increased to nearly 86% during FY 2003 when the number of counties opting in to receive the stable payments grew from 550 to 615.

Step 2: County Allocations

As summarized earlier in this report, a county that opts in to the full payment under the Act is either required³³ or has the option to place between 15% and 20% of their payment into Title II and/or Title III. Following initial decisions in FY 2001, some \$371 million in payments were made to National Forest counties under this Act. The theoretical maximum available for Title II and/or Title III was therefore as much as \$74 million. This amount, however, assumes every county would allocate 20% of their total payment to Titles II and III, which in fact is not required. Nonetheless, the stage is set for a significant amount of funding to be allocated into Title II for projects on Federal lands and Title III for special projects.

In order for it to be necessary that a RAC be created, a county must first allocate funds into Title II. The county or counties that comprise a RAC ultimately decide, on a yearly basis, the amount of Title II funding, if any, that a RAC receives. Though some counties that decide to form a RAC place all of their available funds into Title II, the vast majority split their funds between Title II and Title III funding (and in some cases, the allocations between Title II and Title III change each year). The funds that a particular county elects to place into Title II remain in the Federal treasury for use by the advisory committee.

Number of Counties Placing Funds into Titles I, II & III: As seen in TABLE 6, approximately 50% of all counties that opted in to the Act received a full payment of less than \$100,000 and were therefore not required to put any funds into Title II or III (however, nine counties with less than \$100,000 did exercise the discretion to put funds into Title III in each of these years). In addition, the number of counties that decided to place funds into Title II increased between FY 2001 and FY 2003 while the number of counties that chose to place funds into Title III stayed the same.

These data are significant for many reasons. First, approximately half of the counties that opted in to the law (with less than \$100,000 in total funds available to them)

³²The Forest Service has begun to collect information about the creation of job opportunities as of FY2004. However, no specific job creation information was available during the research period of this report.

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³³ If the total payment to a county is more than \$100,000, a county is required to annually allocate between 15% and 20% of the payment to Title II and/or Title III. If a county fails to make an allocation, then 15% of their payment will be returned to the Federal treasury. Not surprisingly, no county has elected to return any funds to the U.S. Treasury.

would most likely not be viable candidates to form a RAC because they do not have enough funding available to them. Also, while the total number of counties that opted in to the Act increased by approximately 9% from FY 2001 to FY 2003, the total number of counties that placed funds into Title III remained the same. At the same time, twenty-four more counties across the nation decided to place funds into Title II. This suggests that more counties are placing funds into RACs at the expense of Title III projects.

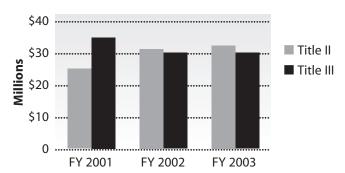
TABLE 6: Number of Counties with Funds in Titles I, II, & III: FY 2001 & 2003

	FY 2001	% of Total Counties	FY 2003	% of Total Counties
Counties with funding in Title I only (under \$100,000)	272	49.5%	316	51.4%
Counties with funding in Titles I & II only	11	2.0%	32	5.2%
Counties with funding in Titles I & III only	194	35.3%	191	31.1%
Counties with funding in Titles I, II, & III	73	13.3%	76	12.4%
Total Number of Counties Opting In	550	100.0%	615	100.0%
Total Number of Counties with funds in Title II (may also have funds in Title III)	84	15.3%	108	17.6%
Total Number of Counties with Funds in Title III (may also have funds in Title II)	267	48.6%	267	43.4%
Number of counties with total funds below \$100,000 that decided to put funds into Title II	0	0.0%	0	0.0%
Number of counties with total funds below \$100,000 that decided to put funds into Title III	9	1.6%	9	1.5%

Fiscal Allocations of Counties into Titles II & III: A more important figure than the number of counties that have placed funds into Titles II and III may be the actual amount of funding that has gone in to Titles II and III. County allocations of funds into either Title II or Title III are significant because they offer insight as to how resources are being spent on Federal lands. In each of the three years of payments made under the Act, approximately 16% of total funds have been allocated into Titles II and III. The first year of payment resulted in nearly \$25 million in Title II funds nationwide. This number has increased and through the first three years of the Act county governments have allocated some \$88 million into Title II. At the same time, county allocations toward Title III were more than \$34 million in FY 2001 and total more than \$94 million through three years.

As shown in FIGURE 1, counties have placed more funds into Title II during each successive year since the law was enacted while placing fewer funds into Title III. Funding for Title II has increased by almost \$8 million during that time period (while Title III funding has decreased by \$5 million). This increase in Title II funding means that investments on or near Federal lands should increase over time.

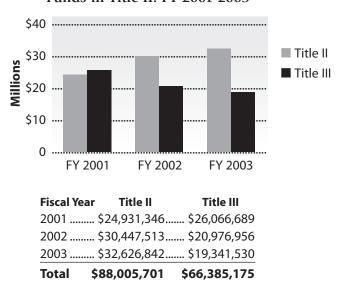
FIGURE 1: Nationwide Elections to Titles I, II, & III: FY 2001-2003



	2001	% of total	2002	% of total	2003 % of total
Title I	\$311,523,660	84.0%	\$313,697,015	83.9%	\$326,621,007 84.0%
Title II	24,931,356	6.7%	30,447,513 .	8.1%	32,626,842 8.4%
Title III	34,535,821	9.3%	29,754,089 .	8.0%	29,548,013 7.6%
Total	\$370,990,838	100.0%	\$373,898,617	100.0%	\$388,795,899 100.0%

Perhaps FIGURE 2 suggests a more interesting trend. FIGURE 2 only examines those counties that have placed funds into Title II during the time that the Act has been in place.³⁴ These data suggest two things: Firstly, counties familiar with Resource Advisory Committees are likely to vest additional funds into their local advisory committees in successive years, and secondly, more RACs are being formed. In general, those county officials that have placed funds into Title II must feel that the funds are being spent effectively because they continue to allocate additional funding increments into RACs, thus increasing the investment to Federal lands.

FIGURE 2: Title II and Title III Elections of Counties with Funds in Title II: FY 2001-2003



³⁴ Note about data in FIGURE 2: If a county allocated Title II funds in any fiscal year, then its Title II and Title III funding allocations for all three years are used in determining these numbers.

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Factors Affecting a County's Decision to Place Funds into Title III/Title III: In order to determine why some counties decided to form RACs and some did not, officials from six counties were interviewed with funds in Title II and officials from an additional six counties were interviewed with no funds in Title II and at least \$100,000 in Title III funds.

Many county officials that placed funds into Title II made the decision to do so long before the legislation was enacted. The most commonly cited reason given by interviewees for putting funds into Title II was that the counties supported the collaborative intent of the Act and felt that it was best met through the creation of a Resource Advisory Committee. Another factor commonly mentioned by county officials was a perception that the success of RACs will be a crucial component in determining whether the Act is renewed beyond FY 2006. A minor factor used in decision-making was the PILT funding that was saved by some jurisdictions that chose to place funds in Title II. In general, county officials chose to place funds into Title II in an attempt to propagate the increased funding amounts available through the Act and to give citizens greater control over stewardship of Federal lands.

County officials that did not place funds into Title II cited lack of direct control over the funds as the primary reason why they decided against forming a RAC. By placing the funds into Title III rather than Title II, these county officials were able to ensure that funds were being spent according to their priorities. Another commonly cited reason mentioned by many county officials was that the allowable uses for funds under Title III better fit the needs of the county when compared to Title II. For example, some officials felt that increased funding for search and rescue or fire prevention/suppression took precedence over a road maintenance or watershed project that might be undertaken by a RAC. Finally, some officials did not feel they had enough funding available to make it worthwhile to form a RAC or felt that an advisory committee's funds would benefit the Forest Service rather than the county.³⁵

Do Title III Projects Meet Purpose Two?: Because purpose two of the law states that projects are not limited to those that are explicitly listed, it could be argued that Title III projects may improve infrastructure and resources on or near Federal lands and therefore also meet the intent of purpose two of the Act. However, one important phrase in the law to consider is "projects shall enjoy broad based support." Title III projects are approved by county governments and therefore do not require the support from the various interests that Title II projects require. Yet, some Title III projects do incorporate community involvement and interests. For example, some Title III funds have been used to create FIRESAFE councils, which involve a diverse group of local residents working together to reduce fire risk on or near National Forest lands.

In summation, projects funded through Title II far more directly meet purpose two of the Act, though some Title III projects may also meet the intent of purpose two when considered in the broadest sense. The majority of Title III projects, however, neither improve forest ecosystems nor involve diverse interests. For example, Title III funds are probably most widely used to supplement a county's search and rescue budget. This application of Title III does not appear to directly relate to purpose two of the law.

³⁵ For a more complete accounting of these interviews, please see the companion piece to this report: *In-Depth Interviews with Forest Service Officials, RAC Members, and County Officials.*

Step 3: Creating a RAC

The next logical step after placing funds into Title II is to form a RAC. The process of forming a RAC involves some give and take between the county or counties that may comprise it and the Forest Service, which has a duty to charter each individual committee and appoint its members. As a federally chartered committee, Resource Advisory Committees are subject to the Federal Advisory Committee Act (FACA).³⁶ The intent of FACA is to require Federal advisory committees to have open meetings with a balanced membership and therefore reduce the influence that special interests can have over these committees. Some have argued that the law requires so much red tape that it makes it difficult for non-governmental groups to form or participate in advisory committees.³⁷ This red tape often leads to significant delays in seating a particular advisory committee.³⁸

While opinions certainly differ as to whether FACA is a necessary and effective tool for RACs or simply "bureaucratic crap", 39 compliance with FACA is required when developing a Federal advisory committee. 40 In the case of these advisory committees, however, it appears that the Forest Service worked rather quickly to establish guidelines and regulations for RACs and most RACs were established and members appointed by the first time that Title II funds were deposited in the U.S. Treasury. 41

The Act was signed into law on October 30, 2000. By the end of 2001, RACs had been chartered throughout the country (though many of these had no Title II funds available to them and a number of them still do not) and more than 650 RAC members were appointed by the Secretary of Agriculture in the states of California, Idaho, Oregon, Washington, and Montana.⁴² In fact, the first RAC meetings took place by the end of 2001. Considering the numerous legal and procedural hurdles required to form Federal advisory committees, this can be considered a fast turn around.

The design of the legislation created a fortuitous circumstance for the Forest Service to move forward to create the RACs while county governments concurrently made their determinations whether to opt in to the full payment under the Act and also whether and how much funding to place into Title II and/or Title III. States were required by the legislation to submit the county decisions to the Forest Service by September 30, 2001. The Title I and III payments were in turn made to the states and Title II funds placed in the U.S. Treasury in mid-December 2001.

Beginning as early as December 2000, counties and the Forest Service worked together to create the geographic boundaries for each RAC. The Forest Service Chief requested

³⁶ Public Law 92-463 (October 6, 1972).

³⁷ Long, Rebecca and Thomas Beierle (1999). The Federal Advisory Committee Act and Public Participation in Environmental Policy. *Resources for the Future*. January 1999. Discussion Paper 99-17.

³⁸ Ibid. See, for example, pages 10-11 describing the experience with the Blue Mountains Natural Resources Institute Advisory Group.

³⁹ As stated by one Forest Service official, see companion piece to this report.

⁴⁰ A collateral benefit of FACA-chartered committees is the requirement for reporting information on committee operations, such as meeting dates and the costs of supporting the committee. This information is posted on the website http://www.fido.gov/facadatabase/ and provides a basis for comparison of RAC operations.

⁴¹ See for example, Forest Service documents: 12/20/2000 memorandum from Forest Service Chief Mike Dombeck; 2/26/01 memorandum from Deputy Chief for Programs and Legislation Randle Phillips; and 8/6/2001 memorandum from Randle Phillips. All letters were addressed to regional foresters.

 $^{^{42}}$ Forest Service internal document titled "Schedule for the Re-Appointments of the Resource Advisory Committees." Last edited on 4/7/04.

in December 2000 that each region of the Forest Service submit a map with the proposed "geographic footprint" for each RAC by March 2001. Several months were spent chartering the RACs, conducting outreach and recruitment of potential RAC members, and accepting applications. The initial RAC appointments were made by the Secretary of Agriculture in October 2001.

Characteristics of Resource Advisory Committees

Diversity of RACs Nationwide: While the purposes and duties of RACs are consistent and prescribed in the Act, some diversity is evident in the members appointed to serve on the RAC as well as the number of counties included in the RAC. Not all RACs contain representation matching that of the example membership found in the Act. For example, some RACs have few unions in the area, and therefore no one to represent organized labor interests. For most RACs, membership reflects the natural characteristics of a given area (for example there are many RACs that do not have individuals representing wild horse and burro interests but may have multiple individuals representing commercial timber). That said, there are consistent elements with RAC membership, such as participation of local government officials, nationally and/or regionally recognized conservation organizations, and recreation interests.

RACs are relatively evenly split between single county and multi county (30 RACs are limited to a single county while 26 RACs involve one or more county). The single county model is used in boroughs in Alaska as well as counties in California, Montana, New Mexico, Wyoming, and some of the counties in Washington. Arizona, Arkansas/Oklahoma, Idaho, Mississippi, Oregon, Texas, and portions of Washington contain RACs that involve multiple counties. In most states, the boundaries of the RAC coincide with county boundaries, however, in Oregon and Washington, the RAC area is often defined by the boundaries of one or more National Forests. The Ozark-Ouachita RAC in Arkansas and Oklahoma includes twenty-two different counties-the largest multi county RAC in the country (see APPENDIX G).

A final distinction can be seen in the name of each RAC. Most RACs are named for the county in their area (e.g. Modoc County, CA RAC), or in the case of a multi county RACs, it is named for the area of a state (North Central Idaho RAC). However, the RACs in Oregon, Texas, Arkansas/Oklahoma and some of the RACs in Washington are named for the National Forests where they are located. The actual meaning of this difference is unknown, but it is interesting that some RACs do not evidence a separate identity from the Forest Service.

Geographic Distribution of RACs: Not surprisingly, as Title II funding has increased, so have the number of advisory committees. As shown in TABLE 7, there are currently 48 RACs across the country that have recommended at least one project as of FY 2003. Eight more RACs are currently either just beginning to form or have held meetings but had not made project recommendations as of that date, bringing the current total number of RACs up to 56.⁴³ All RACs that have been running since 2001 are located exclusively in the West while some of the newer RACs are being created in the South.

⁴³ This includes all RACs, which have received Title II funds. Various RACs have been chartered across the country but currently have no Title II funds available to them and no advisory committee members and therefore are not included in this figure. *NOTE*: One county in West Virginia placed funds into Title II in FY 2003; however, it is unknown whether a RAC is being formed in that state.

TABLE 7: Resource Advisory Committees by State

State	Projects as		Total
Alaska	3	0	3
Arizona	1	0	1
Arkansas/Oklahon	na 0	1	1
California	15	1	16
Idaho	5	0	5
Mississippi	0	1	1
Montana	5	3	8
New Mexico	0	1	1
Oregon	7	0	7
Texas	0	1	1
Washington	11	0	11
Wyoming	1	0	1
Total	48	8	56

Funding Available to RACs: As shown in APPENDICES C and G, a great difference exists between the largest and smallest advisory committees in terms of funding available. Using FY 2002 as a baseline (and including only those RACs which have made project recommendations), TABLE 8 lists the five RACs with the most and five with the least funds as a means of illustrating this point. All of the RACs with the most funding are located in Oregon and all derive funds from multiple counties while those with the least funding are primarily single-county. Regardless of this, the difference between the Hood/Willamette RAC at over \$4.3 million and the Mineral County RAC at \$36,000 is striking and certainly has an affect on the type and amount of projects that can be recommended by an individual advisory committee.

TABLE 8: Greatest and Least Funding Available to RACs (FY02)

Greatest Funding						
Hood/Willamette	OR \$4,390,409					
Rogue/Umpqua	OR 2,894,236					
Northeast Oregon	OR 2,154,026					
Winema/Fremont	OR 2,072,259					
Siuslaw	OR 1,481,241					
Least Fu	nding					
Crook	WY \$67,160					
Eastern Idaho Counties	ID 66,528					
Columbia County	WA 62,660					
Ravalli	MT 54,588					
Mineral	MT 36,106					

Mean \$ in RAC: \$617,867 Median \$ in RAC: 265,970

Population Bases of RACs: APPENDIX H lists the population base of each advisory committee according to the 2000 U.S. Census. Even though RAC members are not required to live in the area in which the RAC operates (though they are required to

live in the state or states where the RAC is located), all efforts are made to do so.⁴⁴ Because of this, jurisdictions with low population bases can have a difficult time finding the diverse interests required for a RAC. To put this into perspective, the Alpine County (CA) and Yakutat (AK) RACs have to find 15 committee members representing these interests from populations of 1,208 and 808 respectively while that South Mt. Baker-Snoqualmie (WA) RAC has a population of almost 2.5 million persons to draw from.

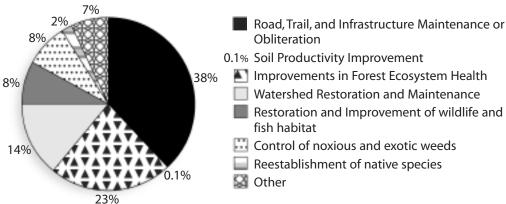
Step 4: Recommendation of Projects by a RAC

The steps used by an individual RAC to recommend projects vary, but a majority in each subgroup must agree to the project, as stated in the law. Under § 203 (a) (2) of the Act, RACs may leverage funding from other sources. This becomes another very important way in which RAC projects are funded.

Title II Projects Recommended on or Adjacent to Federal Lands

According to available data from the U.S. Forest Service RAC project database, 534 Title II projects were funded on or adjacent to Federal lands during FY 2002 (though some RACs actually recommended projects in late FY 2001) and 634 were funded during FY 2003 for a total of 1,168 projects funded during the first two years of the Act.⁴⁵ As shown in FIGURE 3, funds recommended by RACs nationwide were most commonly used for road, trail and infrastructure maintenance, improvements in forest ecosystem health, and watershed restoration and maintenance respectively.

FIGURE 3: Nationwide Percentage of Title II Funds Allocated by Project Type: FY 2002 & FY 2003



⁴⁴ As stated by Rep. Larry Combest (R-Tex.), "It is expected that, with rare exception, members of resource advisory committees will be selected from among the residents of the eligible counties within which the committee will operate. The Secretary concerned should not appoint non-local individuals to resource advisory committees when local individuals who represent the same viewpoint or interest and meet the requirements for membership are available." From page E1819 of the Congressional Record. PL 106-393. Extensions of Remarks printed on October 17, 2000 from remarks made October 10, 2000.

⁴⁵This database requires local and regional Forest Service officials to input project data. It is known that some advisory committees that have recommended projects have yet to place information about these projects into the national database. Therefore, the accompanying fiscal data should be viewed as an approximate estimate of RAC project funding rather than an absolute one. Only projects that were recommended by the RAC and subsequently approved by the Secretary of Agriculture were included in these figures. At the time of this report, the database was only available on the Forest Service's internal website.

	FY02-03	%	%
Project Type	Funds	(all funds)	(road/water)
Road, Trail, and Infrastructure Maintenance			
or Obliteration	\$18,187,627	37.4%	37.4%
Soil Productivity Improvement	47,981 .	0.1%	
Improvements in Forest Ecosystem Health	11,342,213	23.3%	
Watershed Restoration and Maintenance	6,847,171	14.1%	14.1%
Restoration and Improvement of wildlife			
and fish habitat	3,866,551 .	8.0%	**46
Control of noxious and exotic weeds	3,927,019 .	8.1%	
Reestablishment of native species	979,150 .	2.0%	
Other	3,465,743 .	7.1%	
Total FY 2002 & 2003 Title II Funds Spent	\$48,663,455	100.0%	51.5%

The data table below FIGURE 3 affirms that a little over 51% of funds from all projects nationwide went to either road maintenance or watershed restoration projects. As required in § 204 (f) of the Act, at least 50% of funds from Title II projects must be derived from these two categories. However, the Forest Service has interpreted this portion of the law to mean that each RAC must spend at least 50% of its funds on roads and watersheds.⁴⁷ As suggested by this data, a majority of RACs (but not all) meet the 50% clause (based upon the narrowest definition of watershed restoration).

One problem associated with the various project types outlined in the law is that a single project can easily fit into more than one category. For example, the maintenance of a fence line could be considered either wildlife and fish habitat protection (restoration) or infrastructure maintenance. The Forest Service relies on local Forest Service staff from each RAC to make the final decision about how to categorize an individual project. Because of this, various members of the Forest Service have probably categorized a number of similar projects in different manners.

This issue brings up two important points. First, project types explicitly stated in the law are somewhat redundant. For example, it is difficult to improve fish habitat without performing some type of watershed restoration or maintenance and it is difficult to reestablish a native fish species without doing both of those activities. When left with the choice of two or three reasonable categories in which to place a project, it seems logical that local Forest Service officials would be more likely to categorize a project as either road or watershed in order to satisfy the 50% clause in the law. Secondly, no known attempts have been made by Forest Service officials at any level to provide guidance as to what constitutes one type of project as compared to another. If road and watershed projects were more clearly defined, it would be easier for RAC members and Forest Service officials alike to determine whether some types of projects qualify under the 50% rule.⁴⁸ Conversely, strict definition of

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 $^{^{46}}$ It certainly could be argued that many of these funds could be considered in the Watershed Restoration and Maintenance category as well.

⁴⁷ See the FAQs link on the Forest Service's "Payments to States" website: http://wwwnotes.fs.fed.us:81/r4/payments to states.nsf.

⁴⁸ Representative Larry Combest (R-Tex.) emphasized the point that RAC projects can be classified broadly to meet the 50% clause: "For example, a forest thinning project that meets the requirements of section 2(b) [purpose two of the Act] would also meet the requirements of section 204(f) [the 50% clause] if its purpose were to restore the vegetation within a watershed to a more fire-resistant state." This may provide some justification for the Forest Service's decision to leave individual project classifications up to regional foresters. From page E1818 of the Congressional Record. PL 106-393. Extensions of Remarks printed on October 17, 2000 from remarks made October 10, 2000.

allowable activities could stymie the creative and collaborative abilities of some RACs. It is perhaps for this reason that project type classifications remain open to interpretation.

It is also important to mention that the Forest Service RAC project database allows employees to choose from significantly more project categories than the seven categories explicitly stated in the law. This is because purpose two clearly states that projects are not limited to those enumerated in the Act. In this study, the decision was made to "lump" the various project choices on the Forest Service database down to eight (the seven categories specific to the law as well as an "other" category) in order to tie the data more closely with purpose two of the Act. Of course, in doing so, some judgments had to be made. Most significantly, the "improvements to forest ecosystem health" category used in FIGURE 3 was expanded to include the "fuels management/fire prevention" category on the national database. Though a few other activities are included in the forest ecosystem health category, the vast majority of these projects involve fuels reduction, thinning, or other fire prevention or suppression activities. It is interesting that nearly one quarter of Title II funds nationwide are being spent on fire related activities considering that fire issues are not explicitly addressed in Title II (though they are in Title III).⁴⁹

Questions to RAC Members About RAC Projects: RAC members were asked to respond to survey questions regarding the types of projects funded by their respective advisory committees (these responses are taken from the same survey instrument used more extensively in evaluating purpose three of the Act). Without question, members of the Forest Service most frequently propose and present projects to RAC members nationwide simply because projects must be conducted on or near National Forest land; however, state, local, and private groups also bring projects to the committees.

RAC Members
Federal Agencies
State Agencies
County or City Agencies or Elected Officials
Private or nonprofit entities
Other

FIGURE 4: From what group do the majority of projects that are approved and funded by your RAC originate?

As explained in FIGURE 4, RAC members were asked to identify the group that brought in the most projects that were recommended by the RAC and subsequently

⁴⁹ As evidenced by the previous footnote, a number of projects labeled as "forest ecosystem health" in this study could also be considered watershed projects. This would significantly increase the percentage of projects that meet the 50% clause. In its report, the Forest Counties Payments Committee apparently used a more broad definition of this term, stating that "watershed and wetlands restoration constituted the largest number of projects" on National Forest lands in FY 2001. Forest Counties Payments Committee (2003). Recommendations for Making Payments to States and Counties Report to Congress, 35.

approved by the Secretary of Agriculture. Not surprisingly, committee members most commonly cited Federal agencies (the Forest Service in almost all cases) as the group that brings the most projects to the RAC. Private entities were a distant second choice. A cursory examination of the U.S. Forest Service RAC project database suggests that the percentage of RACs dominated by Forest Service projects may be even higher than reported.⁵⁰ However, some Forest Service officials have noted that project partnerships between state or local agencies and the Forest Service as well as between private entities and the Forest Service have become more common at RAC meetings and may therefore blur the lines between a Forest Service sponsored project and one brought to the RAC by another group. Partnerships like these not only foster cooperative relationships between stakeholders (as intended under purpose three of the act), they also allow for coordination between groups to be more effective which can lead to greater net benefits or impacts. For example, a partnership between the Forest Service and private citizens on a forest thinning project on both the National Forest and the adjacent urban interface would most likely be more effective than two individually, uncoordinated RAC projects.

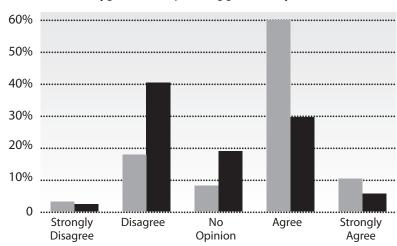


FIGURE 5: Types of Projects Approved by RAC Members

- The RAC I serve has been effective in soliciting projects from parties other than the local Forest Service or BLM office (n=237, mean=3.61).
- Over the time it has been operating, there has been a change in the type of projects that this RAC recommends for funding (n=238, mean=2.92).

FIGURE 5 shows response rates (by percent) for two different questions asked to RAC members.⁵¹ When asked whether their RAC had been effective at soliciting projects from outside the Forest Service, members responded that the RAC had been marginally effective at bringing in projects from other groups. However, a mean

⁵⁰ As seen in APPENDIX I, a high number of respondents (who filled out the paper survey) chose to mark more than one answer to this question (#9). These responses were not included in FIGURE 4. The total number of valid responses to this question was 197.

⁵¹ The "n" (located in the response key) refers to the number of respondents to each question. In most cases, the n is lower than the actual number of individuals that completed the survey because some respondents chose not to answer certain questions. The "mean" (also located in the response key) numerically reports the mean response rate to all questions on a Likert Scale (5=strongly agree, 4=agree, 3=no opinion, 2=disagree, 1=strongly disagree). The closer the mean is to "5", the more favorable the response. For a full accounting of survey responses to both surveys, see APPENDICES I and J.

response rate of 3.61 also suggests that some RAC members feel that it would be desirable to increase RAC projects brought in by groups other than the Forest Service (though not explicitly asked this question, many RAC members who were interviewed for this study noted that they would like to see more projects come from residents in their community). This seems especially plausible when considering how many more projects are brought to RACs by the Forest Service as compared to any other group. When asked if members had seen a change in the type of project that it's RAC recommends, responses were mixed, though slightly in favor of disagreement. This suggests that, on average, RACs have continued to recommend the same types of projects from their inception to the present.

Similarly, RAC members were asked whether their RAC had made changes to its operations over time, presumably to more effectively execute RAC business. As seen in FIGURE 6, approximately half of the respondents did not note a change in operations and half did note a change or had no opinion, suggesting no discernable trend. This is not surprising considering that each individual RAC is allowed to make its own decisions regarding how to conduct business as evidenced by the different project approval structures employed by the different advisory committees discussed in the companion piece to this report: *In-Depth Interviews with Forest Service Officials, RAC Members, and County Officials.*

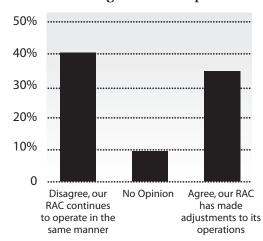


FIGURE 6: Changes in RAC Operations⁵²

■ Over the time it has been operating, the RAC I serve on has changed in the way that it operates to review and approve projects (e.g. the RAC uses subcommittees to screen projects or the RAC meets more frequently or less frequently than it used to).

Step 5: Approval of the Project by the Forest Service

Finally, the Secretary of Agriculture must approve the project. In most cases, the decision to approve or reject a project is made at the Forest Supervisor level, but the Secretary has ultimate authority over individual RAC projects. As stated in § 204 of the Act, a number of considerations must be taken into account before the project can be given approval. Most importantly, the project must be within the guidelines of applicable Federal laws or management plans. The Secretary can also request that the

RAC pay for an environmental review of a project before it can go forward. In this happens, the RAC can either agree to pay for the environmental review or terminate the project.

Has Purpose Two Been Met?: In general, purpose two has been met because significant additional investments in Federal lands have been made. Funds totaling over \$88 million have been invested or will be invested on Federal lands from FY2001-2003 Title II payments (over \$48 million had already been spent or obligated by the end of FY 2003). At least 1168 projects have currently been approved on Federal lands (from the time that the legislation was enacted through December of 2003) and work is either ongoing or has been completed. Furthermore, the amount of funding that has been placed into Title II has continued to rise in each year since the law was enacted—meaning that the level of additional investment is increasing. Additionally, almost \$94 million has been placed into Title III funds between FY2001-2003 and a portion of these funds will also provide the types of investments required under purpose two of the Act.

However, purpose two also requires that "additional employment opportunities" are created through these investments. It is difficult to determine how many jobs have been created simply by examining descriptions of Title II projects and more research needs to be done to accurately quantify this. The general perception of those interviewed for this study is that few new jobs are being created in the rural communities where most National Forest lands are located.

Observations Regarding Purpose Two: Investments on Federal Lands

- Title II projects are designed to meet the intent of purpose two of the Act. Some Title III projects meet the intent of purpose two, but many do not.
- A number of steps must take place in order for investments to be made on Federal lands under Title II of the law: (1) a county must opt in to the Act and then must (2) allocate funds into Title II. Then, (3) a RAC must be created by the Forest Service, with input from its respective counties. Finally, (4) a RAC must recommend projects that (5) must be approved by the Secretary of Agriculture. All of the above actions have taken place with increasing frequency from FY 2001 to 2003.
- Significant additional investments to Federal lands are being made by projects funded through Titles II and III of the Act. However, it is unclear whether significant additional employment opportunities are being created as well.
- During the first two years of the Act, 534 and 634 projects were recommended *and approved* on or adjacent to Federal lands respectively for an approximate total of 1168 projects (some RACs have yet to place their projects on the national database, so the number of projects is actually higher than this). As counties continue to place more funds into Title II, the number of recommended projects will almost certainly continue to increase in future years
- Approximately \$88 million has been placed into Title II and \$94 million has been placed into Title III during the first three years of the Act. All of the Title II funding and some portion of the Title III funds will be allocated towards investments on or adjacent to Federal lands.

- According to the U.S. Forest Service RAC project database, 37.4% of all projects recommended have involved road, trail, and infrastructure maintenance or obliteration, 0.1% are soil productivity improvement, 23.3% are forest ecosystem health, 14.1% are watershed restoration and maintenance, 8.0% involve restoration and improvement wildlife and fish habitat, 8.1% are used to control noxious and exotic weeds, 2.0% are used for reestablishment of native species, and 7.1% are used for other purposes.
- Many projects undertaken on Federal lands can be placed into more than one work classification (for example a culvert replacement could be considered road maintenance, watershed restoration, or improvement of fish habitat). Currently, it is up to the Designated Federal Official or Committee Coordinator of an individual RAC to decide how to categorize a particular RAC project. More guidance may be needed from USFS national and regional offices in order to make the project classification system more streamlined and consistent.
- Because 50% of all projects within each RAC must be either road or watershed projects, there may be an incentive to bias projects towards these classifications in order to satisfy this requirement in the law.
- The vast majority of projects recommended by RACs originate with members of the U.S. Forest Service. This is not surprising considering that RAC projects must be conducted on or near Federal lands, however, some advisory committee members would like to see more *worthy* project proposals from other groups.
- The number of counties that have placed funds into Title II has increased from FY 2001 to FY 2003 while the number of counties that have placed funds into Title III has stayed the same, even though the number of counties opting in to the law has increased by approximately 9% during that time.
- Nationwide, eligible counties have placed more funds into Title II (at the expense of Title III) in each year since the passage of the Act. Counties that already have funds in Title II are more likely to place an additional percentage of funds into Title II in subsequent years.
- County officials that have decided to place funds into Title II believe that Title II funding better meets the collaborative intent (purpose three) of the Act when compared to Title III. In general, these same officials also believe that the success of Title II is crucial to the renewal of the Act past FY 2006.
- County officials that have decided against placing funds into Title II are concerned about losing discretion over funds that would otherwise be directly administered by their county. They also feel that the activities allowed under Title III better meet the needs of their county when compared to allowable activities under Title II.
- Resource Advisory Committees have increased in number, funding level, and geographic distribution during each successive year since the law was enacted.
- There are significant discrepancies between amounts of funding available from one RAC to another, which positively or negatively affect each RAC's ability to make investments on Federal lands.

- Some RACs with small available populations may face difficulties in recruiting diverse interests.
- There is almost no data currently available regarding the creation of new jobs as a result of the Act. However, the general feeling of those interviewed for this study was that jobs are not being created in significant numbers in rural areas.

Purpose Three: Improve Cooperative Relationships

"To improve cooperative relationships among the people that use and care for Federal lands and the agencies that manage these lands."

The inclusion of Resource Advisory Committees represents perhaps the most innovative portion of the Act. Not only does the Act attempt to provide much needed funding to communities, it also seeks to reconnect some of the different groups (that have a role in Federal lands management) with each other in order to more cohesively, cooperatively, and strategically affect positive change upon the land. In fact, many individuals interviewed for this portion of the study have noted that the relationships created through the RAC process have been as or more important than the funds that have been expended in their communities.

This section will examine the relationships created between different groups that are key to RAC processes. It will first provide a definition of cooperative relationships and briefly explain recent collaborative conservation efforts in the United States. Next it will discuss some of the ways in which Title II funding provides a cooperative framework and contrast this with Title III funding. When examining a subjective concept like relationship building, it is important to try to provide as much objective data as possible. Therefore, attempts will be made to provide some statistical and fiscal measures of cooperative relationships. The following section reports on the results of two separate surveys and 36 in-depth interviews designed to gauge stakeholders' opinions regarding relationship building as well as general support for the Act. Finally, an opinion will be offered as to whether the Act has improved cooperative relationships among Forest Service officials, RAC members, and county officials.

Cooperative Relationships and Collaborative Conservation

"Cooperative Relationships": There is little doubt that purpose three of the Act is the most subjective requirement of the law and therefore the most difficult to measure or quantify. The term "cooperative relationships" is never defined in the Act nor is it discussed at any length in its legislative history. However, the legislative record makes clear that the term "cooperative" is synonymous with "collaborative" in the legislation. For example, in his concluding remarks after passage of the Senate version of the bill, U.S. Senator Larry Craig, R–Ida., stated that the legislation would bring about "a collaborative process at the local level between so many stakeholders who have legitimate concerns and interests as to how the natural resources of our public lands [are] managed." Here, one of the co-sponsors of the law used the term "collaborative" to define the legislation though only the term "cooperative" appears in the law.

For purposes of this study, the term "improved cooperative relationships" simply refers to an enhanced working relationship between two groups. For example, when

⁵³The original wording of purpose three in both the House and Senate versions of the bill was "to facilitate the development, by the Federal Government and the counties which benefit from the shared revenues from the Federal Lands, of a new cooperative relationship in Federal Land management."

⁵⁴ Page S8526 of the Congressional Record. Senate Bill S.1608, 106th Congress, 9/13/2000.

RAC members are asked if cooperative relationships have improved between the RAC (as a whole) and local Federal land management officials, an affirmative response assumes that the relationship between the two groups has improved from a time before the RAC existed (or before the respondent joined the RAC) to the present. An affirmative answer also infers that the creation of a RAC more effectively facilitates cooperative relationships when compared to individual citizens working on their own.

Collaborative Conservation: The collaborative "movement" is a recent phenomenon in the field of environmental policy, which is characterized by community based decision-making and consensus building. According to Snow, 55 "collaborative conservation emphasizes the importance of local participation, sustainable natural and human communities, inclusion of disempowered voices, and voluntary consent and compliance rather than enforcement by legal and regulatory conversion." Collaborative groups have been referred to as "coalitions of the unalike" because they bring together individuals representing many interests in an attempt to address issues or solve problems that have become bogged down in legislative gridlock. Essentially nongovernmental in origin, these efforts have sought to change the power structure on Federal lands in order to give local citizens greater control over environmental and resource based decision-making processes while reducing the influence of governmental entities and corporations.

Probably the most well known of all collaborative projects is the Quincy Library Group in northeastern California.⁵⁷ The group, formed in the early 1990's, includes local foresters, government officials, and environmentalists. Eschewing most Federal involvement, the group developed its own comprehensive forest plan for over 2.5 million acres of National Forest land in a local three county area. In 1997, QLG was able to generate enough grass roots support to pass the plan through Congress as the Forest Health and Economic Recovery Act. The plan includes significant concessions from environmentalists and loggers alike, allowing for increased logging of second growth forests in roaded areas as well as significant thinning in the forest while protecting over 150,000 acres of roadless old growth areas including Spotted Owl habitat.⁵⁸ To date, however, numerous complications have delayed all but initial implementation of the plan.

Though the Quincy Library Group has ostensibly been successful at achieving its aims, the fact that little work has begun on a plan that was initially conceived over a decade ago suggests that many problems still remain. In many cases, the very reason why collaborative groups come together (to solve problems on a local scale without the excessive red tape associated with Federal policymaking) is the reason why they are unable to affect change. Some collaborative groups can only go so far to implement these projects without governmental enforcement or funds. To date, the QLG is the only community based collaborative group to have a plan legitimized through Federal legislation.

4 _____

⁵⁵ Snow, Donald (2001). Coming Home: An Introduction to Collaborative Conservatism. In Across the Great Divide: Explorations in Collaborative Conservatism and the American West. Washington D.C.: Island Press, 2.

⁵⁶ Ibid., 6.

⁵⁷ www.qlg.org

⁵⁸ Marston, Ed (2001). The Quincy Library Group: A Divisive Attempt at Peace. In Across the Great Divide: Explorations in Collaborative Conservatism and the American West. Washington D.C.: Island Press, 79-90.

Collaboration and PL 106-393: To those who champion the notion of collaboration free from the Federal interference, the thought of a Federal collaborative group contradicts everything which collaborative conservation is supposed to represent. However, this is exactly what Resource Advisory Committees are attempting to do. Undoubtedly, the biggest difference between RACs and locally based collaborative groups is that most collaborative groups formed in the last fifteen years have enfranchised themselves to make natural resource based decisions while RACs have been created and empowered by Congress. ⁵⁹ Another difference is that many collaborative groups strive towards reaching consensus while Resource Advisory Committees rely upon majority votes in their subgroups to approve projects.

Clearly, there are differences between grass roots collaborative efforts and federally created advisory committees. However, it is the contention of this study that the Act is collaborative because it requires stakeholders to come together and make decisions that affect them locally and, through this process, enhances the working relationships of many groups and individuals. Though they are citizen dominated, Resource Advisory Committees have both Congressional authority and Federal money behind them, which give them instant bargaining influence.

Cooperative Relationships: Title II vs. Title III

Cooperative Elements of Title II Funding: Many facets of Title II funding should be considered when examining the cooperative nature of relationship building. Most notably, the various interests represented in a Resource Advisory Committee must work together and approve projects in such a way that a majority in each of three representative subgroups agrees to support a project. However, this cooperative nature can also be seen within the county (or counties) in which the RAC is located. County officials retain significant control over the RAC process because they decide how much funding an individual RAC will receive—yet, they also have to be willing to cede authority over funds that would otherwise fall under the county's discretion (if the funds are placed into Title III). Forest Service officials also have a significant role in RAC decision-making processes because the Designated Federal Official often acts as an important source of information to the RAC. However, only the RAC members have the power to make project recommendations—even those that Forest Service officials may not agree with or support. Yet, the law makes it clear that this is only a recommendation, which must ultimately be approved by the Secretary of Agriculture. Because of the way that the law is structured, RAC members, county officials, and Forest Service officials are required to work more closely with one another than they would without the existence of the advisory committee.

Cooperative Elements of Title III Funding: On the other hand, Title III funds remain under the control of their respective counties and are less dependent on the

⁵⁹ However, partnerships between governmental agencies and local constituencies are becoming much more common. For example, see Weiland, Cyd (2002). Getting Together In Idaho: A Survey of Six Collaborative Efforts on Public Lands. Andrus Center for Public Policy. Boise State University. www.andruscenter.org/AndrusCenter.data/Components/PDF%20FILES/get%20together%20report.pdf. Another example includes PL 106-399, the Steens Mountain Cooperative Management and Protective Act of 2000, which was passed on the same day as PL 106-393. This act designates the Steens Mountain Wilderness Area in Harney County, OR (managed by the BLM) and establishes an advisory committee similar to BLM Resource Advisory Councils. The committee is composed of twelve members that work with the Secretary of Interior in developing a management plan for the area. Like all BLM RACs not located on O&C lands, this advisory committee makes management recommendations but has no funds to distribute.

involvement of other groups. Counties can make unilateral decisions about where to place Title III funds as long as those funds are used appropriately. This is not to say that Title III funds cannot be used cooperatively. One previously noted example is the use of FIRESAFE councils by some counties which empower local government leaders, citizens, and local fire officials to make decisions about fire prevention and suppression activities on or adjacent to Federal lands. Also, under §302 (a) of the Act, counties are required to allow for a 45 day comment period after publishing a description of their proposed Title III projects and must send a copy of their proposed projects to the RAC (if one exists in that county). This, at the very least, requires county officials to be cognizant of public opinion. However, while the process used to approve all Title II projects is cooperative by nature, only a portion of Title III projects can be considered as such. For this reason, RACs receive the bulk of the attention in this portion of the study.

Fiscal and Statistical Measures of Cooperative Relationships

As previously mentioned, it is difficult to objectively measure a concept as abstract as cooperative relationships. However, trends in fiscal and statistical data suggest that some level of relationship building is being achieved.

Leveraging Funds: The ability to leverage funds suggests that multiple groups have a stake in or deem a net benefit from a project. In the case of advisory committee projects, significant funds have been leveraged from outside the RAC. Not only has leveraging allowed the RACs to approve more projects, it has also allowed project proponents and committee members to build relationships with other groups and organizations.

According to data available from the U.S. Forest Service RAC project database, medium sized RACs leveraged more funds per average project than small and large sized RACs (TABLE 9). This suggests that small RACs did not have enough funding to effectively leverage, and that large RACs may have had enough money to approve a number of projects and were not overly concerned about leveraging funds. However, medium RACs did the best job of leveraging funds from both the Forest Service and other sources. In fact, when taking all sources of project funding into account, projects from medium sized RACs actually involved more funds, on average, than projects from large sized RACs.

TABLE 9: Leveraging Projects in Conjunction with RAC Projects

Average Cost Contributed Per Project	Small RAC (>\$200,000)	% of Total	Medium RAC (\$200k-800k)	% of Total	Large RAC (<\$800,000)	% of Total
Title II	\$17,532	57.6%	\$38,123	53.2%	\$48,658	68.4%
Forest Service	7,650	25.1 %.	19,515	27.2 %	11,820	16 . 6%
Other	5,256	17.3 % .	14,094	19.6%	10,667	15.0%
Total (All Funds)	\$30,438	100.0%	\$71,732	100.0%	\$71,145	100.0%

Funds Spent Per Meeting: FIGURE 7 compares the number of meetings held by various RACs with the amount of Title II funds that were expended at those meetings. The number of meetings varied significantly from RAC to RAC over a two year span—from

as few as four meetings to as many as twenty-one for an individual committee. A point of interest is that more meetings attended by RAC members did not correspond with more funds spent (in fact, there is an inverse relationship). Two advisory committees, Del Norte County (CA) and Modoc County (CA) both held twenty-one meetings apiece during that two-year span but each only spent a little over \$500,000 during that time. Similarly, in nineteen meetings, Madera County (CA) spent just over \$100,000. In contrast, the Hood/Willamette (OR) RAC spent nearly \$8 million in just seven meetings and the Winema & Fremont (OR) RAC spent over \$5 million in only five meetings.

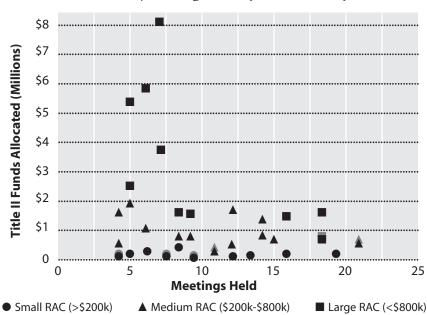


FIGURE 7: Title II Funds Allocated/Meetings Held (FY 2002-2003)

These data suggest that many RACs do not exist solely to dispense funds. If this were the case, then smaller RACs would need fewer meetings in order to spend all of their funds. Instead, it appears that a number of RAC members perceive a benefit in the meetings themselves. The relationships created through interfacing and networking may be as beneficial in some cases as the actual funding that is allocated by the RAC. This may be especially true of a small RAC with only \$75,000 a year to spend.

Increased Funding for Title II: Increased funding to Title II suggests that cooperative relationships are taking place. The trend has been towards the placement of more funds into Title II and less into Title III, suggesting that the relationship building activities that are occurring between the groups involved in RACs have been positive. Similarly, the amount of Title II funding that has actually been recommended for projects has increased in every year since passage of the Act.

60 Includes all RAC meetings recorded by Forest Service officials into the Federal FACA database: http://www.fido.gov/facadatabase/. Some advisory committees had no meetings in 2002 and did not begin operations until 2003. The terms small, medium, and large RAC do not refer to the amount of funds expended, but rather the amount of funds available on a yearly basis, which explains why some medium RACs have expended more funds than some large RACs.

Survey and Interview Results

Information has been gathered from two separate surveys that were completed by RAC members and Forest Service officials representing various advisory committees across the country. The surveys were designed not only to explore issues regarding relationship building, but also to learn more about respondents' general feelings towards the Act. To better understand how available funding affects the way in which respondents feel about their respective advisory committees, other questions focused on the amount of funding available to an individual RAC to see if those committee members and Forest Service officials with more funding available to them felt different about the process than those with less. When applicable, information from in-depth interviews with RAC members, Forest Service officials, and county officials are also summarized in order to provide validity to or further analysis of specific questions. Only responses to selected survey and interview questions are included here. For results of all survey questions, please see APPENDICES I and J. For a more complete accounting of the in-depth interviews conducted in this study, please see the companion piece to this report, In-Depth Interviews with Forest Service Officials, RAC Members, and County Officials.

Using data obtained from the U.S. Forest Service's national RAC website ("Payments to States"), 61 it was determined that the total population of RAC members available to fill out the survey was 774.62 In all, 239 RAC members, or 30.9%, responded to the RAC survey. 106 Forest Service officials were listed on the national RAC website and 80 of these, 63 or 75.5%, responded to the Forest Service Survey.

There are many reasons why the response rate from the Forest Service was much higher than that of RAC members. Most notably, it was easier to find and contact Forest Service officials and the population of Forest Service officials was considerably smaller than the population of RAC members. Numerous attempts were made to solicit responses from both groups over a five-month period. From correspondence with many different individuals, it is believed that almost the entire population of RAC members were aware of the survey and simply chose not to complete it. Even with a lower than desired response rate, 4 at least one RAC member from 44 of the 47 RACs targeted chose to complete the survey.

Have Resource Advisory Committees improved cooperative relationships among/between RAC members, county officials, and Federal land management agency officials?

As a whole, survey questions asked to RAC members and Forest Service officials regarding improved cooperative relationships were very positive. When asked whether

⁶¹ http://wwwnotes.fs.fed.us:81/r4/payments to states.nsf

⁶²This number includes all members listed on the Payments to States website from the 47 RACs used in the survey, including alternate members. See APPENDIX C for a list of the RACs solicited for the survey.

⁶³The population used in the Forest Service survey was determined in the same way as the RAC survey. However, some Forest Service officials were involved with more than one advisory committee. This number reflects the total number of distinct names listed on the website. There is no ready-made "population" of Forest Service officials involved with RACs and it is highly likely that some officials, whose names were not on the website, chose to fill out the survey.

⁶⁴ Babbie suggests that a response rate of 50% would be considered "adequate" for survey research, though he states that this number has no statistical basis. Babbie, Earl (2001). The Practice of Social Research. 9th Edition. Belmont, CA: Wadsworth, 256.

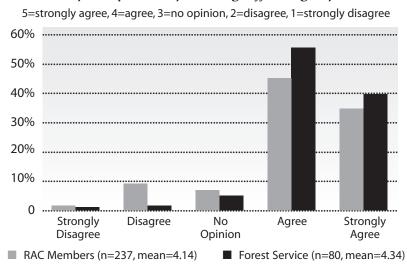
⁶⁵ Forest Service surveys were received from 39 of the 47 RACs, however, these numbers are somewhat misleading because some Forest Service officials are involved in more than one RAC (for example the North and South Gifford Pinchot RACs are overseen by the same officials).

they felt that the RAC had improved relationships among RAC members, both RAC members and Forest Service officials reported that relationships had in fact improved. In the surveys, a number of RAC members commented on the ability of a diverse group of stakeholders to come together and make decisions on public lands. Echoing these sentiments, one Forest Service official commented that individual RAC members have been able to "engage different stakeholders to take an interest in their environment." When asked if the relationship between the Forest Service and community members had improved, both groups again responded positively. One RAC member wrote: "I think (the RAC) has brought about better understanding between the Feds and local government in the area" while a Forest Service official stated that RACs have given the "Forest Service a real chance to be involved with folks we never knew."

As was the case with almost every question similar to both groups in the two surveys, the responses of Forest Service personnel were even more positive than that of RAC members. However, it is particularly interesting to compare the responses of the Forest Service in FIGURES 8 and 9. A significantly higher percentage of Forest Service employees strongly agreed that relationships between their agency and RAC members had improved as compared to improved relationships among RAC members (while RAC members were slightly more positive towards the latter relationship change). Apparently, Forest Service officials feel they are doing a better job of interfacing with RAC members than the committee members do.

FIGURE 8:

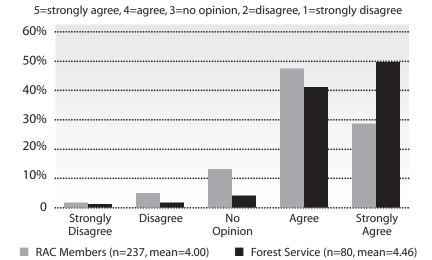
I feel that this RAC has improved cooperative relationships among RAC members, especially those representing different groups.



When interviewed, responses between RAC members and Forest Service officials remained relatively similar to those in the surveys. However, it is important to note that not all of the questions asked in the interviews matched those asked in the survey so it is not possible to correlate the interviews directly to the surveys. Though responses, on average, were very positive for all cooperative relationships questions, RAC members felt that the relationships created among themselves were more positive than those that had been created between the RAC and the Forest Service or the RAC and the county (or counties) in which it was created.

FIGURE 9:

I feel that this RAC has been successful at improving cooperative relationships between local Federal officials and community members.



One interesting result that came out of the interviews that is not reflected in the surveys is the improved relationship noted between Forest Service officials and the counties. On average, Forest Service officials felt that cooperative relations had seen greater improvement between the Forest Service and the county (or counties) than it had between the Forest Service and the RAC. This is not particularly surprising considering that, in many cases, county officials and local Forest Service officials had few reasons to interact before the formation of the RAC (while a larger portion of RAC members have some relation to the forest and therefore the Forest Service). One Forest Supervisor commented on the bettered relationship between the Forest Service and a county:

It is another formal opportunity to get together. This whole process is about building relationships. Before, we would only meet with the county when there was a problem. Now, the meetings are about positive things. I see this as an opportunity, as a 'win-win.'

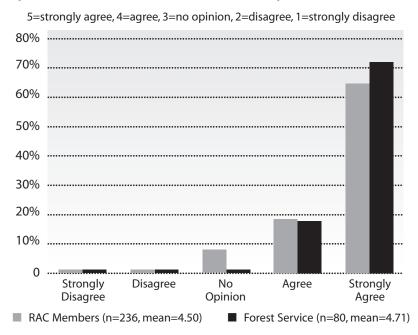
Conversely, RAC members were least likely to feel that cooperative relations had improved between RAC members and the county (as compared to the Forest Service or other RAC members). This is also not surprising because most RACs have little direct contact with county officials. As stated by one RAC member, "We work closely with the Forest Service. I'd like to see us do more with the county." Unfortunately, county officials were not asked about cooperative relationships between their county and the RAC. The rationale for this omission was that many county officials were not personally involved with RACs, however, in hindsight it would have made sense to ask this question.

Responses solicited from both in-depth interviews and surveys suggest that respondents feel that cooperative relationships have improved between RAC members, Forest Service officials, and county officials as a direct result of the Act.

Is there general support for the continuation of payments to counties through the renewal of PL 106-393?

Of all questions asked in either survey, the question regarding renewal of the Act was by far the most positively received (FIGURE 10), 77.5% of Forest Service employees and 66.5% of RAC members strongly agreed that the Act should be renewed after FY 2006 (an additional 20.8% of Forest Service employees and 20.4% of RAC members agreed that the law should be renewed, meaning that 97.5% of Forest Service officials and 87.3% of RAC members agreed or strongly agreed with this statement). Some RAC members commented on the importance of Title I to local communities: "It is so important that this continue for school and road funding—we'd be in a real tail spin without it." Other respondents felt the innovative aspects of Resource Advisory Committee were the most important reason for continuation of the Act. It is not surprising that those with a vested interest in the law would strongly support its renewal, however, there were a few negative comments associated with the law. For example, one committee member of a relatively newly formed committee stated: "PL 106-393 replaces a system that was working well with a RAC that (is) designed to fail. I can't see how you expect this system to work." Overall, however, the extent to which both RAC members and Forest Service employees support the Act is another indicator that the Act is perceived to have positive benefits in many communities.

FIGURE 10: I feel that PL 106-393 should be renewed after Fiscal Year 2006.



Much like the surveys, interviewees representing every group (RAC members, Forest Service officials and county members with and without funds in Title II) responded more favorably towards the question regarding renewal of the Act than to any other question asked of them. In fact, of all 36 individuals interviewed, 35 agreed or strongly agreed that the law should be renewed and one had no opinion. No interviewees felt that the law should not be renewed. When asked why the law should be renewed, one county official responded in the following manner:

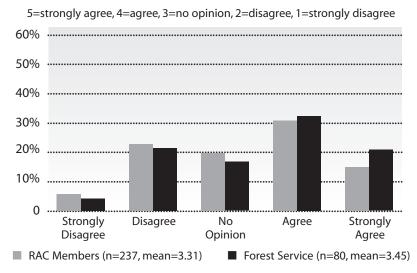
That is a no brainer. We now have a 17.5 million dollar budget and 4.5 million comes from Federal forest funds. We would have to let a lot of people go... This is critical to (our county) and we have to insure that this money continues to come here.

As seen in FIGURE 11, RAC members and Forest Service officials were also asked how they felt about the requirement that replacement members are not allowed to vote at RAC meetings, even when a full member is not present at a meeting. Replacement members are not specifically mentioned in the Act. However, during implementation of Title II, the decision was made to include three replacement members along with the fifteen voting members of the RAC (one for each of the three subgroups who would also be confirmed by the Secretary of Agriculture). As it currently stands, when a permanent member of the RAC leaves the committee, the replacement member (for that particular subgroup) immediately fills that role on the RAC and becomes a voting member. However, until that time, the replacement member has no official role in the advisory committee.

Prior to dispersal of the surveys, some individuals had indicated that the RAC process would be more efficient if replacement members were allowed to vote when full members were not present (especially when a quorum is not present in one of the subgroups), which prompted this question. Responses by both RAC members and Forest Service officials were somewhat mixed, suggesting that the issue of replacement members may be a problem at some, but not all locations. However, a majority in both groups did feel that the non-voting role of replacement members has been a problem. On average, Forest Service officials felt slightly more strongly about this issue than RAC members.

FIGURE 11:

The requirement that replacement members can't vote when full members are absent from meetings has been a problem for efficient RAC meeting management.

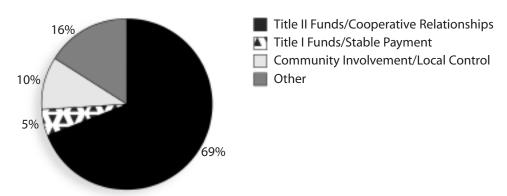


⁶⁶The primary rationale for including an alternate member was to expedite a lengthy RAC member appointment process by having a replacement member that can immediately step in when a permanent member leaves.

As part of a series of open-ended questions, RAC members and Forest Service officials were also asked to discuss aspects of the Act which they felt had been successful as well as those aspects of the law that they would like to change. Because all survey respondents were directly involved with Title II funding, it is not surprising that the majority of responses to these very general questions focused on Title II of the Act. When asked what they liked about the law, the vast majority of respondents commented that some portion of Title II funding has been the most successful (as seen in FIGURE 12). Others commented on how the law provides greater self-determination and community involvement to local areas, while some felt that either the increased funding or the stability of payments (or both) under the Act had been successful.

The data box below FIGURE 12 breaks down the responses of those who feel that Title II funding is the most important aspect of the Act. A significant majority of those who responded in this manner commented on how RACs involve collaborative relationship building between different groups.⁶⁷ For example, one Forest Service official commented that the law allows for "different stakeholders to take an interest in their environment and the formation of partnerships to accomplish mutually beneficial forest related projects." The second most common response (of those who answered the question in this way), focused specifically on the value of Title II projects themselves;⁶⁸ some of these respondents mentioned how Title II provides funding for projects that otherwise would not be possible.

FIGURE 12: What aspects of PL 106-393 do you feel have been the most successful?



Responses of Those Who Answered "Title II Funds/Cooperative Relationships"

Response	RAC	Forest Service	All
Title II Projects	29.0%	16.2%	24.5%
Collaborative Relationship Building	59.4%	75.7%	65.1%
Structure of the RAC	7.3%	2.7%	5.7%
Improving Resources (environmental and/or economic)	4.3%	5.4%	4.7%
Total	100.0%	100.0%	100.0%

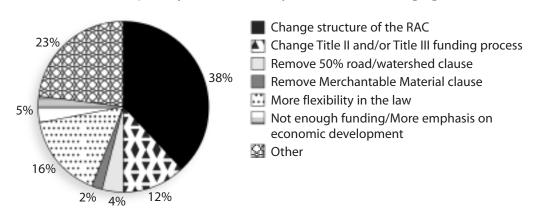
⁶⁷The decision was made to incorporate all comments regarding cooperative relationships or relationship building as part of Title II funding because a majority of these comments specifically mentioned the advisory committee. However, it could be argued that some of these comments may not have been specific to Title II.

⁶⁸ Because comments made in FIGURES 12 and 13 were open-ended, some individuals cited a number of factors while others cited none at all. As can be seen from the previous quote, it was not uncommon for a respondent to mention both Title II projects and cooperative relationships in the same statement.

When asked which aspects of the law they would recommend changing, responses from RAC members and Forest Service officials were far more varied. Again, most respondents focused specifically on Resource Advisory Committees. The most common response involved changing some part of the structural or procedural makeup of the RAC, as discussed shortly. Another common response called for more flexibility in the law. While some calls for "flexibility" were rather general, others felt that allowable activities under Title III and, more commonly, under Title II should be expanded. Specifically, some respondents stated that the law should explicitly state that Title II funds be used for fire-related projects (as it does in Title III).

Another commonly cited issue involved the funding system used for Title II and Title III funds. Though a few respondents advocated for more county control over these funds (particularly from county officials serving on the RACs), most felt that counties retained too much control over Title II funds. One RAC member stated: "I would limit the ability of the county legislative body to determine the split between Title II & Title III." Comments like this were typical, suggesting that some RAC members do not like being dependent on an individual county for yearly funds. A few comments involved getting rid of Title III funds altogether. Though less frequently mentioned, others expressed concern that not enough funding is available to the RACs, specifically when it comes to making a significant impact to rural economic development. Some RAC members, particularly those representing Group A, advocated a return to previous logging yields as a means of reinvigorating local economies.

FIGURE 13: What aspects of the law would you recommend changing?



Responses of Those Who Answered "Change the Structure of the RAC"

Response	RAC	Forest Service	All
Allow alternates to vote	40.0%	100.0%	60.4%
Change quorum or voting requirement (3 out of 5)	28.5%	0.0%	18.8%
Expedite RAC member approval process	8.6%	0.0%	5.7%
Expand the types of interests represented by the RAC	8.6%	0.0%	5.7%
Other	14.3%	0.0%	9.4%
Total	100.0%	100.0%	100.0%

The data box below FIGURE 13 categorizes the responses of those who recommended a procedural or structural change to the RAC. Of those who responded in this manner, most mentioned that alternates should be allowed to vote when permanent members

are not present. One alternate RAC member's comments were reflective of how both RAC members and Forest Service officials seem to feel about the issue: "I go to many meetings but never get to vote on issues or proposals even if full members aren't there. It's a waste of my time as an alternate." What is particularly interesting is that a high number of Forest Service officials wrote about the need for alternates to vote (and not a single official made a comment about changing any other aspect of the RAC). This is surprising considering the results seen in FIGURE 11, where support for allowing replacements to vote was not particularly high when compared to mean response rates for other survey questions (see APPENDICES I and J). While FIGURE 11 suggests that the replacement member issue is not a problem encountered by all RACs, FIGURE 13 suggests that it is a significant issue at certain RACs, especially considering that the same comment was made repeatedly in an open-response question. It is certainly plausible, however, that some individuals were more likely to note this issue as a problem because it was specifically addressed in the survey.

Many other issues regarding changing the structure of the RAC were brought up by RAC members. Some proposed changes to the requirement of a quorum (3 out of 5 members in each group) for both calling a meeting to order as well as for approval of projects. Others felt that it took much too long for new RAC members (or alternates) to be approved by the Secretary of Agriculture. Some RAC members felt that the types of interests allowed to serve on a RAC should be expanded. Others, particularly those representing Group B, felt that their RAC "favors interests with pre-existing, even institutionalized, relationships with the Forest Service, i.e. timber, mining, grazing" while marginalizing those representing other interests.

When interviewed, responses from Forest Service officials and RAC members to those questions posed in FIGURES 12 and 13 were remarkably similar to those in the questionnaires. Not surprisingly, however, county officials more commonly referred to Title III funding when asked about what they liked and did not like about the Act. In particular, county officials without funds in Title II were more likely to mention that Title III funding was successful. A few county officials (with and without Title II funding) also did not like the fact that PILT payments are affected by the amount of Title I and Title III funds a county receives.

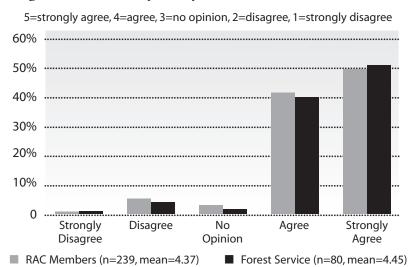
Results from both the surveys and interviews show that the vast majority of participants directly involved with funding from the Act (and Resource Advisory Committees in particular) strongly support the legislation. This is evidenced not only by the positive response rate towards renewal of the Act but also by the fact that very few respondents felt the need to state that the legislation was not working. In fact most of the changes (or negatives) recommended by respondents were relatively cosmetic to the overall success of the law. Though some of this support can be directly linked to an increase in funding, the relationships created between the various groups seem to be of equal importance.

What effect, if any, does the size of the RAC (in terms of dollars allocated) have on its ability to function (in relation to other variables)?

Survey questions were asked to Forest Service officials and RAC members in order to determine if the amount of funding available had a discernable effect upon how respondents felt about the RAC process. FIGURE 14 shows that in general, RACs of all sizes are satisfied with their performance given the amount of money they have available. When these figures are broken down by RAC size, large RACs appear to be

somewhat more likely to feel that their performance is better than that of the other two groups. Of course, this is to be expected. What is interesting is that Forest Service officials of medium and large sized RACs responded more positively to this question than RAC members of medium and large sized committees while Forest Service officials of small RACs were less satisfied as compared to RAC members of small committees. Furthermore, while the opinions of RAC members remain relatively similar on this question regardless of RAC size, there is a great discrepancy between the satisfaction of Forest Service officials with small RACs as compared to medium and large ones.

FIGURE 14: I am satisfied with the overall performance of my RAC given the amount of money it has available to work with.



Responses from RAC Members (n=233)	Small RAC (Less than \$200,000)	• • •	Large RAC (Greater than \$800,000)	All RACs
Strongly Disagree	0.0%	0.0%	0.0%	0.0%
Disagree	5.1%	2.7%	6.6%	4.3%
No Opinion	3.4%	3.5%	1.6%	3.0%
Agree	47.4%	46.9%	29.5%	42.5%
Strongly Agree	44.1%	46.9%	62.3%	50.2%
Total	100.0%	100.0%	100.0%	100.0%

Responses from Forest Service Officials (DFOs and Committee Coordinators, n=76)	Small RAC (Less than \$200,000)	Medium RAC (\$200,000- \$800,000)	Large RAC (Greater than \$800,000)	All RACs
Strongly Disagree	0.0%	0.0%	0.0%	0.0%
Disagree	3.6%	6.1%	0.0%	3.9%
No Opinion	0.0%	3.0%	0.0%	1.3%
Agree	67.8%	27.3%	26.7%	42.2%
Strongly Agree	28.6%	63.6%	73.3%	52.6%
Total	100.0%	100.0%	100.0%	100.0%

It is hard to discern exactly what this means, other than to say that in discussions with Forest Service officials of small RACs, some felt that a lot of work was involved to

distribute comparatively few funds. Conversely, many RAC members involved with small RACs seemed satisfied to have any type of funding available to them. In most cases, these members were not aware that some RACs had significantly more funding available to them. A \$100,000 sum may be viewed as a more sizeable amount of money to a citizen in a rural area as compared to a Federal official.

As seen in TABLE 10, RAC members and Forest Service officials were also asked to describe the amount of funding available to their individual RAC. Again, those involved with large RACs were most likely to state that they had enough money available to have an impact in their communities. Surprisingly though (considering the discrepancy between funding levels of small and large RACs), a significantly large number of small RAC members (70.7%) felt that their RAC also had enough funding available to have an impact on the resources in their area. While Forest Service officials were more optimistic than RAC members on almost every question asked to both groups, officials involved with small RACs were again less likely to feel that their RAC had enough funds available as compared to RAC members.

TABLE 10: Select the response that best reflects the amount of funding available annually to this RAC.

	•		
Small RAC (Less than \$200,000)	Medium RAC (\$200,000- \$800,000)	Large RAC (Greater than \$800,000)	All RACs
3.4%	4.6%	0.0%	3.1%
25.9%	20.9%	9.8%	19.2%
70.7%	73.6%	88.5%	76.8%
0.0%	0.9%	1.7%	0.9%
100.0%	100.0%	100.0%	100.0%
	(Less than \$200,000)	(Less than \$200,000-\$800,000)	(Less than \$200,000) (\$200,000- (Greater than \$800,000) \$800,000) \$800,000)

Responses from Forest Service Officials (n=76)	Small RAC (Less than \$200,000)	Medium RAC (\$200,000- \$800,000)	Large RAC (Greater than \$800,000) All RACs
This RAC does not have enough money available to make a meaningful difference for the resources in this area and is probably not worth	2.50/	0.00/	0.00/ 1.20/
the cost to hold RAC meetings	3.5%	0.0%	0.0% 1.3%
This RAC does not have enough money available but should continue to hold RAC meetings	42.9%	9.1%	0.0%1 9.7%
This RAC has enough funding available to have an effect on the resources and communities in this area	F2 60/	97.004	02 204 76 404
	33.0%	67.9%	95.5% / 0.4%
This RAC has so much money that it faces a challenge to allocate the funds for projects			
in this area	0.0%	3.0%	6.7% 2.6%
Total	100.0%	100.0%	100.0% 100.0%

Those associated with advisory committees with more funding available to them are more likely to feel that their RAC is capable of having a greater impact in their area. However, response disparities between RACs of different sizes once again suggest that while available funding is an important factor when considering the success of a Resource Advisory Committee, it is not the only factor. Interviews with RAC members suggest that many advisory committee members feel that they are making a difference in their communities regardless of the amount of money available to them. This requires many small and medium sized RACs to spend more time picking apart funding requests or looking at all possible options for leveraging funds. A comment of one small RAC member towards RAC project requests from the Forest Service was typical this attitude: "Sometimes you wonder, why should something be funded through the RAC (rather) than through normal appropriated means?"

In general, the amount of money available to a RAC certainly makes the job of the RAC member easier, but does not appear to significantly impair the committee's ability to function. It just requires more work, more meetings, and, to some degree, more cooperative relationship building in order for the committee to be effective. Forest Service officials are more likely to view limited funds in a negative light, though many officials associated with small and medium sized RACs noted that they have been impressed with what the committees have been able to accomplish given their budgets.

Has Purpose Three Been Met?: All information from surveys and interviews used in the study suggest that, on average, those individuals involved in RAC processes feel that relationships between the groups studied (RAC members, Forest Service officials, and county officials) have improved greatly. Furthermore, certain fiscal and statistical measures help to corroborate the notion that Resource Advisory Committees perform a collaborative function in addition to providing funds for projects on Federal lands. All evidence collected in this study suggests that cooperative relationships have been greatly enhanced through the interactions required under Title II funding.

Observations Regarding Purpose Three: Improved Cooperative Relationships

- RAC members, Forest Service officials, and county officials (with Title II funds) all feel that cooperative relationships have improved between and among their respective groups as a result of the implementation of the Act in general and the creation of Resource Advisory committees in particular.
- There is more interfacing between groups with Title II funding as compared to Title III, suggesting that Title II funding is more effective at furthering cooperative relationships than Title III funding.
- On average, medium sized RACs have been more effective at leveraging funds than small or large sized RACs. It is surmised that small sized RACs do not have enough funds to leverage effectively while large sized RACs have enough funding available eschew leveraging funds (they also receive a higher number of project requests and cannot spend as much time with an individual proposal).
- Large RACs tend to expend large amounts of money in relatively few meetings while small and medium sized RACs tend to expend smaller amounts of money over the course of several meetings. This suggests that meetings for small and

medium sized RACs may focus on relationship building just as much as they do on project recommendations.

- On average, the different interests interviewed and surveyed stated that cooperative relationships had improved between and among RAC members, Forest Service officials, and county officials. RAC members were most likely to note improved relationship amongst themselves as compared to other groups. According to the interviews, county officials and Forest Service officials both felt that cooperative relationships had shown greater improvement between these groups as compared to advisory committees.
- On average, survey respondents and interviewees strongly agreed that the Act should be renewed after FY 2006. In fact, questions regarding the renewal of the Act received the most favorable response of any question asked on the surveys and the in depth interviews. This is a strong indication that stakeholders feel that the Act is working well.
- The issue of allowing replacement members to vote when full members are not present is not a problem encountered by all RACs. However, it is a significant issue at certain RACs that have difficulty maintaining a quorum for meetings.
- On average, the vast majority of RAC members and Forest Service officials feel
 that their RAC is performing effectively regardless of the amount of funding
 available to it. RAC members of small sized RACs view the amount of funding
 available to them in a more positive manner than Forest Service officials of
 small sized RACs.

Conclusions and Discussion

This analysis of the Public Law 106-393 focused on how well the purposes of the Act are currently being addressed through implementation of Title I, II and III funding by the Forest Service, eligible counties, and Resource Advisory Committees. Data presented in this study suggest that all three purposes of the Act are being addressed and, for the most part, are effectively being implemented nationwide (however, the study offers little insight as to how well Title III is being implemented around the country as only a handful of counties in the West were interviewed). Almost all individuals interviewed for this study reported high satisfaction with the Act, or at least with the portion of the Act in which they are involved. The general impression being that the Act is working well for those that are involved with it.

Purpose one of the Act appears to be the most successfully implemented part of the law. Nearly 77% of eligible counties opted in to the Act when first given the opportunity. That percentage jumped to almost 86% of eligible counties when given a second opportunity to opt in two years later. Nationwide, the Act has significantly increased the amount of funding available for roads and schools under Title I funding when compared to moneys available under the 25% Fund. In most cases, those jurisdictions that decided against opting in to the law did so because they could receive more funding through the 25% Fund than they could through the Act. Though payments to states are certainly stabilized under the Act (with 80% to 85% of those funds going to Title I funding), the western states are much more significantly impacted by the law than states in other parts of the country.

The portion of purpose two of the Act requiring additional investments in Federal lands has been implemented successfully. Approximately \$88 million in Title II projects from Fiscal Years 2001-2003 has been or will be invested on or adjacent to Federal lands. Additionally, some portion of the \$94 million invested in Title III funds during these years may also be considered as investments in Federal lands. At least 1,168 projects were recommended by Resource Advisory Committees and subsequently approved by the Secretary of Agriculture on National Forest lands during the first two years that that the law was enacted. Trends towards the placement of more funds into Title II suggest that these numbers will continue to grow.

Though there are a number of important steps that must take place in order for investments in Federal lands to take place, it appears that all of these steps are occurring in increasing numbers. More eligible counties are choosing to opt in to the law. More funds are being placed into Title II at the expense of Title III. More RACs are being created and more projects are being recommended and approved. The net result has been an increase in the number of investments in Federal lands. However, virtually no data is available as to whether additional employment opportunities have been created through these projects. The general impression given by those interviewed for this study, however, is that few jobs have been created as a result of Title II funding.

Finally, interviews with RAC members, county officials, and Forest Service officials and surveys of RAC members and Forest Service officials along with available data suggest that cooperative relationships are being improved on Forest Service lands. All groups interviewed noted increased cooperative relationships between and among the various groups that use, care for, and manage Federal lands. Many interviewees noted that these increased relationships have benefits that are on par with the funding provided to local jurisdictions. Some evidence suggests that relationship building may be stronger in small or medium sized RACs as compared to large sized RACs because greater effort must go in to securing additional funds to finance desirable projects.

Even though many individuals interviewed for this study focused on the collaborative nature of the Act, there is certainly no way to dispute the importance that money plays in the positive comments received. The amount of funding available to jurisdictions doubled after passage of the Act from \$191.9 million in FY 2000 to \$386.5 million in FY 2001. Given this significant increase in funding, it is not surprising that questions directed towards RAC members and county officials were strongly favorable. Similarly, the Forest Service also has a stake in continuing payments to states, especially where Title II funds are concerned. A significant majority of RAC projects are proposed by Forest Service officials and this funding directly benefits the agency. On top of this, in a number of RACs, the Forest Service charges an administrative overhead which provides additional funding (see Question 18 in APPENDIX I). In fact, one Forest Service official noted that Title II funding accounted for 10% of his forest's overall budget.

Certainly, then, funding has to be considered the primary impetus for this law. However, this does not mean that the intended collaborative goals of the legislation should be diminished or discarded. The responses given by the vast majority of individuals interviewed for this study suggest that respondents were not merely giving "lip service" to collaboration but, on the whole, were pleasantly surprised with the law in general and Resource Advisory Committees in particular. Many stated that they were skeptical of the process at first but soon grew to like it as they began to

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understand the (often differing) views of the participants involved as well as the processes used to make decisions. It could even be said (somewhat tongue-in-cheek) that the Act appears to be highly successful despite the fact that it involves large sums of money.

Though they do not directly affect the successful implementation the law's stated purposes, there are some aspects of the Act that are not working well or could use more clarification, especially as it pertains to Resource Advisory Committees. One issue that may need to be addressed is the RAC appointment process. In all but one RAC visited for this study, at least one RAC member vacancy existed that had not yet been filled. In more than one case, that position (or positions) had been vacant for over a year without an appointment by the Secretary of Agriculture. The appointment issue has exacerbated the quorum requirement within the law. Some RACs are down to as few as three members in one of their subgroups. In these cases, if one of these members cannot attend a RAC meeting, then that meeting cannot be held. Similarly, in a subgroup with only three members, just one member can vote against a project and keep it from passing. Though survey respondents have called for removing the quorum requirement or for allowing replacement members to vote, these changes could alter the balanced representation system set up by the law. If the RAC appointment process could be accomplished with in a few months rather than several months, perhaps this problem could be averted (assuming that the required representative interest can be found within the RAC area).

Another requirement in the law that has shown very limited effectiveness is the Merchantable Material Contracting Pilot Program. The GAO found only six of thirteen eligible RAC projects that were expected to be conducted within the pilot program from FY 2001 to 2003 (46.2%). According to the legislation, 25% of all RAC projects that involve merchantable materials should be included in the pilot program in FY 2003 (with the percentage increasing to 50% in FY 2004). While this threshold has technically been met for the first few years of the legislation, overall implementation of the program has been anemic. Lastly, questions remain about how to determine those projects that should be counted towards what this study has termed the 50% roads/watershed clause.

Areas for Future Study

There are also a number of issues associated with the Act that were not addressed in this study and need to be explored further. Chief among these is a more thorough analysis of Title III funding. Currently, little attention (or administrative oversight) is being given to Title III and it is not clear how these funds are being spent nationwide. While a handful of interviews were conducted in this study with county officials about their Title III funds, more study needs to be done in order to assess whether the success of Title III funds are on par with Title II funds.

Another issue not discussed in this report involves monitoring requirements for RAC projects. As defined in §203 (b) (6), a detailed monitoring plan is required for every project proposal. Many questions remain about monitoring plans including how (or if) they are being implemented and whether the Forest Service and/or the committee has the capacity to monitor numerous projects effectively.⁶⁹ Lastly, as alluded to a

⁶⁹ Wilson's survey of RACs (2003) focused on the importance of monitoring plans and the protocols that should go into them. An analysis of current RAC monitoring efforts may be the next step.

number of times in this study, little information exists regarding RAC projects and job creation. While certain RAC projects may involve the use of local labor for short durations, it is unclear whether Title II funds are capable of sustaining long-term employment opportunities, especially in rural areas.

While this study has stopped short of making specific recommendations regarding Public Law 106-393, the vast majority of data presented suggests that the Act is having a positive effect on both public lands resources and the relationships created by the individuals that use and care for Federal lands. There are many local jurisdictions that need Title I, II, and III funds simply to survive and a return to the 25% Fund would not be feasible in those areas (while a handful of other jurisdictions have enjoyed the flexibility to remain under the 25% Fund). Furthermore, 86.9% of RAC members and 97.5% of Forest Service officials interviewed agreed or strongly agreed that the Act should be renewed past FY 2006. These significantly high numbers suggest, at the very least, that the Secure Rural Schools and Community Self-Determination Act is a much better funding system (under current regulatory and economic conditions) than the one previously available to most local jurisdictions.

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APPENDIX A:

Survey Distributed to Resource Advisory Committee Members

The Environmental Science and Public Policy Research Institute (ESPRI) at Boise State University would like to thank you for taking the time to complete this survey. This questionnaire is being conducted as part of an analysis PL 106-393. Your responses will be used to help determine how the legislation has been implemented to date, which portions of the law appear to be effective and which aspects deserve review. A general outline of the research study is available at http://espri.boisestate.edu/. You have the choice to complete this survey online at our website or on paper, but we ask that you only fill the survey out once. Individual surveys will be kept confidential. Please return paper surveys to your DFO/Committee Coordinator or you can mail them directly to:

ESPRI/Boise State University PAAW Rm. 127 1910 University Drive Boise, ID 83725

If you have specific questions or comments, please contact Brett Ingles at (208) 426-2844 or bingles@boisestate.edu. Thank you!

Resource Advisory Committee (RAC) Members: Please respond to the following statements and questions. If you have any specific comments to make or would like to explain your answers more fully, please use the space provided at the end of the survey to do so:

- 1. Name of RAC:____
- 2. Choose the interest to which you were appointed:

Category A

- 1a: Organized labor
- 1b: Developed outdoor recreation, off-highway vehicle user, or commercial recreation
- 1c: Energy and mineral development
- 1d: Commercial timber industry
- 1e: Federal grazing permit holder or land use permit holder within the RAC area
- 1f: Other (including replacement position)

Category B

- 2a: Nationally recognized environmental organization
- 2b: Regionally or locally recognized environmental organization
- 2c: Dispersed recreation activities
- 2d: Archaeological and historical interests
- 2e: Nationally or regionally recognized wild horse or burro group
- 2f: Other (including replacement position)

Category C

- 3a: State-elected office holder or their designee
- 3b: County or local elected office holder
- 3c: American Indian tribal representative from a tribe within or adjacent to RAC areas
- 3d: School official or teacher
- 3e: Citizen representing the affected public at large
- 3f: Other (including replacement position)
- 3. I have a better understanding/appreciation for the role that federal land manage-ment agencies play in the community and/or on National Forest lands than I did before becoming a RAC member.
 - a) Strongly agree
 - b) Agree
 - c) No opinion
 - d) Disagree
 - e) Strongly Disagree
- 4. This RAC has improved cooperative relationships among RAC members, especially those representing different groups.
 - a) Strongly agree
 - b) Agree
 - c) No opinion
 - d) Disagree
 - e) Strongly Disagree
- 5. I feel that my RAC has been successful at improving cooperative relationships between local federal land management officials and community members.
 - a) Strongly agree
 - b) Agree
 - c) No opinion
 - d) Disagree
 - e) Strongly Disagree
- 6. The composition of the fifteen member RAC as prescribed in PL 106-393 is a fair reflection of the different interests represented in my area.
 - a) Strongly agree
 - b) Agree
 - c) No opinion
 - d) Disagree
 - e) Strongly Disagree
- 7. The requirement in PL 106-393 that RAC approval of projects requires a majority in each of the three 5-member sub-groups has been helpful to the RAC's decision making processes when most of the members are present.
 - a) Strongly agree
 - b) Agree
 - c) No opinion
 - d) Disagree
 - e) Strongly Disagree

- 8. The requirement that replacement members can't vote when full members are absent from meetings has been a problem for efficient RAC meeting management.
 - a) Strongly agree
 - b) Agree
 - c) No opinion
 - d) Disagree
 - e) Strongly Disagree
- 9. From what group(s) do the majority of the projects that are approved and funded by your RAC originate?
 - a) RAC members
 - b) Federal agencies
 - c) State agencies
 - d) County or city agencies or elected officials
 - e) Private or nonprofit entities that have become aware of Title II funds available for projects.
 - f) Other, please describe:
- 10. The RAC I serve on has been effective in soliciting projects from parties other than the local Forest Service or BLM office.
 - a) Strongly agree
 - b) Agree
 - c) No opinion
 - d) Disagree
 - e) Strongly Disagree
- 11. Over the time it has been operating, the RAC I serve on has changed in the way that it operates to review and approves projects (e.g. the RAC uses subcommittees to screen projects or the RAC meets more frequently or less frequently than it used to).
 - a) Agree, our RAC has made adjustments in its operations.
 - b) Disagree, our RAC continues to operate in the same manner
 - c) No opinion
- 12. Over the time it has been operating, there has been a change in the type of projects that this RAC recommends for funding.
 - a) Strongly agree
 - b) Agree
 - c) No opinion
 - d) Disagree
 - e) Strongly Disagree
- 13. Our committee's members are well prepared for meetings.
 - a) Strongly agree
 - b) Agree
 - c) No opinion
 - d) Disagree
 - e) Strongly Disagree

- 14. Our committee's staff members are well prepared for meetings.
 - a) Strongly agree
 - b) Agree
 - c) No opinion
 - d) Disagree
 - e) Strongly Disagree
- 15. Our committee has access to senior managers and agency technical experts when needed.
 - a) Strongly agree
 - b) Agree
 - c) No opinion
 - d) Disagree
 - e) Strongly Disagree
- 16. Our committee meets often enough to accomplish its work.
 - a) Strongly agree
 - b) Agree
 - c) No opinion
 - d) Disagree
 - e) Strongly Disagree
- 17. I feel that PL 103-393 should be renewed after Fiscal Year 2006.
 - a) Strongly agree
 - b) Agree
 - c) No opinion
 - d) Disagree
 - e) Strongly Disagree
- 18. Section 206 (a) (2) of PL 106-393 provides federal land managers the discretion to use appropriated funds to add funding to Title II projects. If this discretion has been used in your RAC area, are you satisfied with how it has been used?
 - a) Very Satisfied
 - b) Satisfied
 - c) Neither Satisfied Nor Dissatisfied
 - d) Dissatisfied
 - e) Very Dissatisfied
 - f) This discretion has not been used in my RAC
 - g) I do not know whether this discretion has been used in my RAC
- 19. Select the response that best reflects the amount of funding available annually to this RAC.
 - a) This RAC does not have enough money available to make a meaningful difference for the resources in our area and it is probably not worth the costs to hold RAC meetings.
 - b) This RAC does not have enough money available but should continue to hold RAC meetings.
 - c) This RAC has enough funding available to have an effect on the resources and communities in our area.
 - d) This RAC has so much money that it faces a challenge to allocate the funds for projects in our area.

20. I am satisfied with the overall performance of my RAC given the amount of money it has available to work with.
a) Strongly agreeb) Agree
c) No opinion
d) Disagree
e) Strongly Disagree
21. What challenges, if any, does your RAC face due to financial excesses or shortfalls?
22. What aspects of PL 106-393 do you feel have been the most successful?
23. What aspects of the law would you recommend changing?
24. Additional comments. Please indicate which question number(s) you are responding to. Use the back of this page if you run out of room.

APPENDIX B:Survey Distributed to Forest Service Officials

The Environmental Science and Public Policy Research Institute (ESPRI) at Boise State University would like to thank you for taking the time to complete this survey. This questionnaire is being conducted as part of an analysis PL 106-393. Your responses will be used to help determine how the legislation has been implemented to date, which portions of the law appear to be effective and which aspects deserve review. A general outline of the research study is available at http://espri.boisestate.edu/. You have the choice to complete this survey online at our website or on paper, but we ask that you only fill the survey out once. Individual surveys will be kept confidential. Please return paper surveys to:

ESPRI/Boise State University PAAW Rm. 127 1910 University Drive Boise, ID 83725

If you have specific questions or comments, please contact Brett Ingles at (208) 426-2844 or bingles@boisestate.edu. Thank you!

Land Management Agency Officials: Please respond to the following statements and questions. If you have any specific comments to make or would like to explain your answers more fully, please use the space provided at the end of the survey to do so:

- Name of RAC:
 Job title in relation to the RAC:

 a) Designated Federal Official
 b) Committee Coordinator
 c) Other, please state:
- 3. How long have you held your current position on this RAC? Yrs:___ Months___
- 4. I feel that this RAC has been successful at improving cooperative relationships between local federal officials and community members.
 - a) Strongly agree
 - b) Agree
 - c) No opinion
 - d) Disagree
 - e) Strongly Disagree
- 5. I feel that this RAC has improved cooperative relationships between RAC members, especially those representing different groups.
 - a) Strongly agree
 - b) Agree
 - c) No opinion
 - d) Disagree
 - e) Strongly Disagree

6.	The requirement in PL 106-393 that RAC approval of projects requires a
	majority in each of the three 5-member sub-groups has been helpful to this
	RAC's decision making processes when the majority of the members have been
	present.

- a) Strongly agree
- b) Agree
- c) No opinion
- d) Disagree
- e) Strongly Disagree
- 7. The requirement that replacement members can't vote when full members are absent from meetings has been a problem for efficient RAC meeting management.
 - a) Strongly agree
 - b) Agree
 - c) No opinion
 - d) Disagree
 - e) Strongly Disagree
- 8. In your opinion, has being part of a FACA committee been helpful in achieving the results for which RACs were intended?
 - a) Yes, Very Helpful
 - b) Yes, Somewhat Helpful
 - c) Neither Helpful or Unhelpful
 - d) No, It Has Been A Hindrance
 - e No, It Has Been A Significant Hindrance
- 9. How would you describe the attitude of other Forest Service or BLM officials in your area towards the development and administrative support of this RAC?
 - a) Very Supportive
 - b) Supportive
 - c) Neutral
 - d) Unsupportive
 - e) Very Unsupportive

10.	If any agency officials in your area were opposed to the formation of this RAC,
	please state some of the reasons why you think they objected (do not include
	the names or titles of these officials).

- 11. How would you describe the attitude of the county or counties that compose this Advisory Committee towards this RAC?
 - a) Very Supportive
 - b) Supportive
 - c) Neutral
 - d) Unsupportive
 - e) Very Unsupportive

If any county officials were opposed to the formation of this RAC, please state some of the reasons why you think they objected (do not include the names or titles of these officials).

- 13. feel that PL 103-393 should be renewed after Fiscal Year 2006.
 - a) Strongly agree
 - b) Agree
 - c) No opinion
 - d) Disagree
 - e) Strongly Disagree
- 14. In some counties that accepted stable payments under PL 106-393, Federal Payment(s) In-Lieu of Taxes (PILT) decreased when a county allocated some of its stable payment for uses under Title III of the act. To your knowledge, was the impact to PILT payments one of the factors that led one or more counties within this RAC to place more funds in Title II, since Title II funds do not count against the PILT payment?
 - a) Yes
 - b) No
 - c) I Don't Know
 - d) No decrease in PILT payments would have occurred by keeping the funds in Title III.
- 15. Select the response that best reflects the amount of funding available annually to this RAC
 - a) This RAC does not have enough money available to make a meaningful difference for the resources in our area and it is probably not worth the costs to hold RAC meetings.
 - b) This RAC does not have enough money available but should continue to hold RAC meetings.
 - c) This RAC has enough funding available to have an effect on the resources and communities in our area.
 - d) This RAC has so much money that it faces a challenge to allocate the funds for projects in our area.
- 16. I am satisfied with the overall performance of this RAC given the amount of money it has available to work with.
 - a) Strongly agree
 - b) Agree
 - c) No opinion
 - d) Disagree
 - e) Strongly Disagree

17.	Section 206 (a) (2) of PL 106-393 provides federal land management agencies with the discretion to use appropriated funds to add funding to Title II projects. If this discretion has been used in your RAC area, are you satisfied with how it has been used? a) Very Satisfied b) Satisfied c) Neither Satisfied Nor Dissatisfied d) Dissatisfied e) Very Dissatisfied f) This discretion has not been used in this RAC g) I do not know whether this discretion has been used in this RAC
18.	What percentage of overhead is charged by your agency as allowed under Section 206(a)(1)(B) of the legislation?
19.	What challenges, if any, does this RAC face due to financial excesses or shortfalls?
20.	What aspects of PL 106-393 do you feel have been the most successful?
21.	What aspects of the law would you recommend changing?
22.	Additional comments. Please indicate which question number(s) you are responding to. Use the back of this page if you run out of room.

APPENDIX C:

Designation of Small, Medium, and Large RACS by Title II Allocation (FY 02)

Average \$ in RAC ('02): \$617,867 Median \$ in RAC ('02): \$265,970

Small RAC: Less than \$200,000 Medium RAC: \$200,000-\$800,000 Large RAC: Greater than \$800,000

State	FY 02 \$
MT	\$36,106
MT	54,588
WA	62,660
ID	66,528
WY	67,160
WA	78,196
CA	78,827
CA	81,484
WA	88,121
AK	90,757
CA	101,641
WA	111,168
ID	123,202
WA	128,663
CA	135,199
CA	141,693
WA	174,120
MT	196,910
	MT MT MT MT MT WA ID WA CA CA WA AK CA WA ID WA ID WA CA WA ID CA WA CA WA ID WA CA WA

State FY 02 \$ Name Deschutes/Ochoco...... OR...... \$924,724 Southwest Idaho Counties..... ID 976,829 ★South Gifford Pinchot......WA..... 1,020,034 Idaho Panhandle Counties..... ID...... 1,097,153 Siskiyou...... OR..... 1,105,965 Trinity...... CA..... 1,131,051 Siuslaw OR 1,481,241 Winema/Fremont...... OR..... 2,072,259 Northeast Oregon...... OR..... 2,154,026 Rogue/Umpqua......OR...... OR...... 2,894,236

★ Hood/Willamette OR..... 4,390,409

★location of in-depth interviews

LARGE RACS

MEDIUM RACS Name

State	FY 02 \$
CA	\$201,336
MT	226,900
CA	227,778
CA	260,314
CA	260,945
AK	270,735
CA	281,304
CA	283,594
AZ	321,632
CA	587,237
WA	604,080
MT	607,475
WA	623,592
CA	678,248
ID	730,586
WA	756,483
WA	769,736
CA	796,595
	CA WA

APPENDIX D:

Counties w/ Title III Moneys over \$100,000 (FY02) Who Have Not Contributed Title II Funds to a RAC

	State	County	Title III	RAC Member?
*	Arizona	Coconino	\$701,680	No
*	California	El Dorado	591,342	No
*	Washington	Yakima	514,345	Wenatchee/Okanogan
	California	Placer	321,341	No
	California	Humboldt	308,123	No
	Pennsylvania	Forest	213,176	No
*	South Dakota	Pennington	204,369	No
	Oregon	Multnomah	201,791	Hood/Willamette
	Arkansas	Montgomery	185,376	No
	Washington	Ferry	184,187	Colville
	California	Butte	174,670	No
	South Dakota	Custer	161,283	No
	California	Tulare	159,032	No
*				South Mt. Baker-Snoqualmie
	California	Nevada	150,388	No
	Alaska	Sitka	147,973	No
	Mississippi	Perry	143,991	No
	South Dakota	Lawrence	140,744	No
	Oklahoma	Le Flore	137,956	No
	Alaska	Juneau	137,481	No
	South Carolina	Berkeley	134,112	No
	Florida	Marion	132,458	No
				No
	9			Siuslaw
*	Montana	Missoula	106,465	No

★ location of in-depth interviews

Note: Multnomah County, OR contributed a small amount of funding to the Hood/Willamette RAC in FY 2003.

APPENDIX E: Important Laws Affecting Federal Timber Payments

This section serves only as an overview of some of the more important laws that have an immediate bearing on the Act and is in no way intended to be all encompassing.¹

Twenty-Five Percent Fund Act of 1908: The law requires that "revenues from 25% of all moneys received from the National Forests during a fiscal year from timber, grazing, special-use permits, power, mineral leases, and admission and user fees be paid to the States in which the forests are located for the benefit of public schools and public roads of the county or counties in which such National Forests are situated." The money is then distributed by the states to individual counties and school districts to be used for public roads and schools. The Twenty-Five Percent Fund Act, referred to in this report as the "25% fund," replaced similar legislation passed in 1906 that had initially placed the reimbursement amount at 10 percent.

Oregon & California Revested Lands Sustained Yield Management Act of 1937: This legislation provides a mechanism similar to the 25% fund through which 75 percent of revenues from Oregon and California Railroad grant lands (O&C lands) are distributed back to counties in Oregon in order to bolster those counties' road and school budgets.³ However, O&C counties have chosen to return a portion of these receipts back to the BLM and Forest Service in order to reinvest in and increase the productivity of these lands.⁴

Payments in Lieu of Taxes Act of 1976: The PILT program provides payments to local jurisdictions for federally owned "entitlement" lands that reside within that jurisdiction. Because states and counties cannot tax Federal lands, Congress created a payment system in lieu of taxation that determines the amount of funding a local jurisdiction receives using detailed formulas based upon per acre land value. Counties may take the higher value of a standard payment, which calculates a higher per acre value but is reduced by payments made the previous year (this can include portions of the 25% fund as well as any payment made under Titles I and III of the Act), or they may take the minimum payment, which calculates at a much lower per acre value but does not deduct other payments. In either case, payments are limited by the

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¹ For a more in-depth review of the history of Federal payments to states and counties from forest lands see: Forest County Payments Committee (2003). Recommendations for Making Payments to States and Counties Report to Congress, 14-15

² U.S. Forest Service (1991). Service Wide Appropriation Use Handbook. Chapter 60: Permanent Appropriations. 6509.11g-91-1. http://www.fs.fed.us/im/directives/fsh/6509.11g/6509.11g.60.txt.

The O&C Revestment Act of 1916 returned approximately 2.4 million acres of land originally granted to the Oregon and California Railroad Company back to the Federal government. The Oregon & California Revested Lands Sustained Yield Management Act of 1937, commonly referred to as the "O&C Act," gave management control of these lands to the Department of Interior's General Land Office (though the Forest Service had already assumed control over some portion of these lands). The Bureau of Land Management now administers approximately four-fifths of the lands originally returned to Federal control under the O&C Act while the Forest Service administers the other one-fifth as National Forest land. All references to "O&C lands" in this report refer to those managed by the BLM. Source: U.S. Bureau of Land Manage-ment (2002). "General History of the O&C lands." Adapted from Gerald Williams, U.S. Forest Service. http://www.or.blm.gov/ForestPlan/O and C/GeneralHistory-O and C Lands.htm.

⁴ For a more complete history and analysis of Oregon & California lands see US Bureau of Land Management (1988) *Opportunity and Challenge: The Story of the BLM*. U.S. Government Printing Office, Washington D.C., 42-43.

population of the jurisdiction.⁵ The program is overseen by the Bureau of Land Management; however, PILT payments may be derived from Federal land owned by a number of different Federal agencies including the BLM and Forest Service.

PILT payments are seriously affected by Congressional funding levels of the program. In 1994, the PILT Act was amended to include yearly increases (which have been based upon the Consumer Price Index since FY 1999) because the static payment system set up under the original legislation had been severely eroded by inflation. As TABLE 1e explains, Congress has not fully funded PILT since the Act was amended, to the displeasure of many state and local officials who hoped that payments under the amended law would reflect an immediate and drastic monetary increase. However, TABLE 1e also shows that net PILT payments have more than doubled since FY 1994.

TABLE 1e: Congressional Funding of PILT: FY 1987-2003⁸

	Congressional PILT	Pursuant to	Actual PILT Amount	of Full
	Appropriation	PILT Law	Paid	Funding
1987	\$105,000,000	\$105,441,564	\$104,586,493	99%
1988	105,000,000	104,088,031	104,073,629	100%
1989	105,000,000	103,863,677	103,854,065	100%
1990	105,000,000	102,770,226	102,761,372	100%
1991	104,108,000	100,092,381	100,092,381	100%
1992	103,677,000	99,398,485	99,440,919	100%
1993	104,108,000	103,205,555	103,205,555	100%
1994	104,108,000	99,333,194	99,333,194	100%
1995	101,409,000	130,551,702	100,989,910	77%
1996	113,500,000	165,088,111	113,099,999	69%
1997	113,500,000	212,021,988	113,072,000	53%
1998	120,000,000	260,533,140	118,824,327	46%
1999	125,000,000	303,693,024	124,580,977	41%
2000	134,385,000	317,628,671	133,986,821	42%
2001	199,560,000	338,602,782	199,160,880	59%
2002	210,000,000	350,851,795	209,600,000	60%
2003	218,570,000	324,107,726	218,172,589	67%

Omnibus Budget Reconciliation Act of 1993: In §13982 and §13983 of this appropriations bill (PL 103-66), Congress established a ten year plan to bring relief to counties in California, Oregon, and Washington that had been impacted by significant decreases in logging revenues, after the Northern Spotted Owl was placed on the endangered species list. These "safety net payments," which are often referred to as "spotted owl payments" allowed counties to receive 85% of their average 25%

5 Corn, M. Lynne (1998). PILT (Payments in Lieu of Taxes): Somewhat Simplified. Congressional Resource Services Reports. June 24, 1998. 98-574 ENR.

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⁶ Ibid.

Fixed So., "In 2002, PILT payments were in excess of \$200 million, but when expressed in constant dollars, reflect only 80 percent of the value of the original \$100 million paid in fiscal year 1977." Forest Counties Payments Committee (2003). Recommendations for Making Payments to States and Counties Report to Congress, 39.

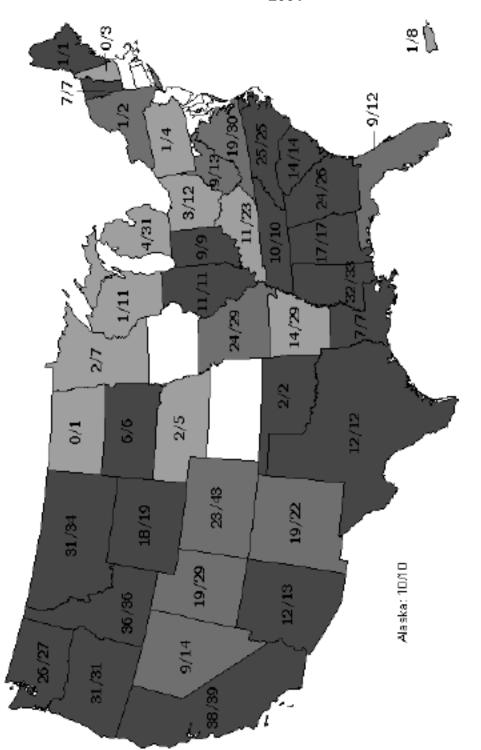
⁸ Source: U.S. Bureau of Land Management (2004).

fund payment from FY 1986-1990, declining by 3% each year until the program ended at the 58% level in FY 2003.9 Though the amount of money received by these counties was significantly higher than what they would have been eligible for under the 25% fund, it was still far less than the funding they were receiving just 10-15 years previously. This approach also marked the first time that county revenues were decoupled from timber receipts.¹⁰

⁹ Gorte, Ross (2000). Forest Service Receipt-Sharing Payments: Proposals for Change. Congressional Resource Services Reports. April 26, 2000. RS20178.

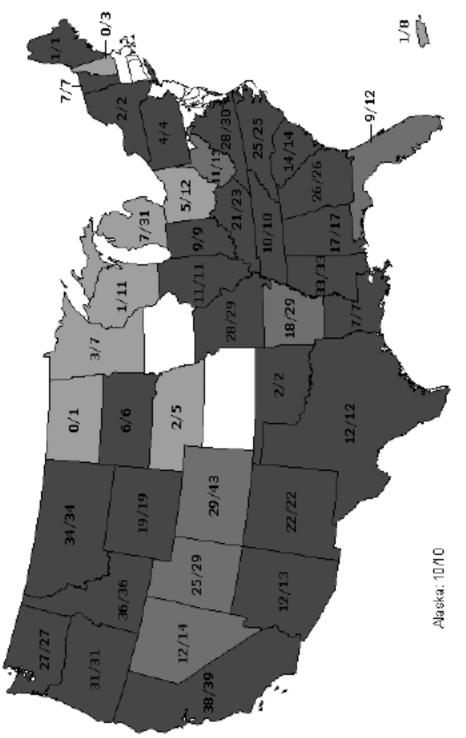
¹⁰ American Lands Alliance (2003). http://www.americanlands.org/forestweb/decoupling.htm.

APPENDIX F: Counties Opting in to PL 106-393 2001



90%-100% 2627-Participating Counties/Elegible Counties No Participation

APPENDIX F (Continued):
Counties Opting in to PL 106-393
2003



APPENDIX G: Funding Levels For Resource Advisory Committees: FY 2001-2003

State	Resource Advisory Committee	FY01 Title II Payments	FY02 Title II Payments	FY03 Title II Payments	Single or Multi-County? (# of counties)
Alaska	Ketchikan	\$	\$	\$ 61,583	Single
Alaska	Wrangell-Petersburg	277,700	270,735	237,771	Single
Alaska	Yakutat	90,034	90,757	91,867	Single
Arizona	Eastern Arizona Counties	\$319,080	\$321,632	\$325,49	Multi (5)
Ark/Okla	Ozark-Ouachita	\$234,459	\$137,839	\$116,160	Multi (22)
California	Alpine	\$140,569	\$141,693	\$143,394	Single
California	Del Norte	258,248	260,314	307,344	Single
California	Fresno	199,738	201,336	203,752	Single
California	Glenn/Colusa	78,201	78,827	98,451	Multi (2)
California	Lake	72,024	101,641	73,472	Single
California	Lassen	140,672	283,594	573,994	Single
California	Madera	32,325	81,484	82,462	Single
California	Mendocino	–	101,227	102,442	Single
California	Modoc	323,593	260,945	435,726	Single
California	Plumas	790,273	796,595	806,154	Single
California	Shasta	582,576	587,237	273,371	Single
California	Sierra	134,126	135,199	91,214	Single
California	Siskiyou	336,432	678,248	686,387	Single
California	Tehama	225,970	227,778	230,511	Single
California	Trinity	448,830	1,131,051	915,699	Single
California	Tuolumne	279,071	281,304	243,939	Single
Idaho	Central Idaho	\$122,225	\$123,202	\$124,681	Multi (3)
Idaho	Eastern Idaho	70,013	66,528	67,326	Multi (13)
Idaho	North Central Idaho	720,224	728,600	750,569	Multi (5)*
Idaho	Idaho Panhandle	771,743	1,097,153	1,181,223	Multi (5)
Idaho	Southwest Idaho	947,334	978,899	940,652	Multi (10)*
Mississippi	Southwest Mississippi				Multi (9)
Montana	Flathead	\$	\$226,900	\$306,163	Single
Montana	Lewis & Clark	–	–	64,636	Single
Montana	Lincoln	–	607,475	612,456	Single
Montana	Madison-Beaverhead	–		39,288	Multi (2)
Montana	Mineral	–	36,106	73,079	Single
Montana	Ravalli	54,155	54,588	55,243	Single
Montana	Sanders	–	196,910	166,060	Single
Montana	Tri–County				Multi (3)
New Mexico	Catron	\$103,691	\$105,960	–	Single
Oregon	Deschutes/Ochoco	\$917,385	\$924,724	\$996,177	Multi (6)*
Oregon	Hood/Willamette				Multi (8)*
Oregon	Northeast Oregon	2,103,885	2,154,026	2,567,230	Multi (11)*
Oregon	Rogue/Umpqua				Multi (5)*
Oregon	Siskiyou	706,759	1,105,965	1,213,103	Multi (3)*
Oregon	Siuslaw	1,429,420	1,481,241	1,482,598	Multi (8)*
Oregon	Winema/Fremont	2,055,813	2,072,259	2,885,993	Multi (2)*

APPENDIX G (Continued)

State	Resource Advisory Committee	FY01 Title II Payments	FY02 Title II Payments	FY03 Title II Payments	Single or Multi-County? (# of counties)
Texas	Davy Crockett	\$183,197	\$212,566	\$243,464	Multi (2)
Washington	Columbia County	\$	\$62,660	\$63,412	Single
Washington	Colville	229,272	287,890	373,614	Multi (3)
Washington	Grays Harbor	96,594	128,663	130,207	Single
Washington	North Gifford Pinchot	515,536	623,592	525,896	Single
Washington	South Gifford Pinchot	877,561 .	1,020,034	1,009,131	Multi (3)
Washington	North Mt. Baker-Snoqualmie	190,439	604,080	611,329	Multi (2)
Washington	South Mt. Baker-Snoqualmie	– .	88,121	44,589	Multi (2)
Washington	Olympic Peninsula	750,479	756,483	765,561	Multi (3)
Washington	Snohomish County	110,285	111,168	112,502	Single
Washington	Southeast Washington Forests	5 – .	78,196	79,134	Multi (2)
Washington	Wenatchee/Okanogan	398,549	775,894	549,128	Multi (4)
West Virginia	Webster			\$20,600	UNKNOWN
Wyoming	Crook	\$66,627	\$67,160	\$67,966	Single
Total	All RACs \$2	24,931,346	\$30,471,312	\$32,626,842	
Federal Form	ASR-18 Totals \$	24,931,356	\$30,447,513	\$32,626,878	

^{*}county Title II money is split between two or more RACs

Entries in italics indicate that the advisory committee has not recommended a project as of 12/2003

APPENDIX H: Population Bases of Resource Advisory Committees

State	RAC	Population	State	RAC	Population
Washington	South Mt. Baker-Snoqualm	ie2,442,605	California	Lake	58,309
Oregon	Hood/Willamette	1,668,532	California	Tehama	56,039
Ark/Okla	Ozark-Ouachita	866,655	Montana	Lewis & Clark	55,716
California	Fresno	799,407	California	Tuolumne	54,501
Washington	Snohomish County	606,024	California	Glenn/Colusa	45,257
Idaho	Southwest Counties	523,573	California	Siskiyou	44,301
Oregon	Siuslaw	363,767	Texas	Davy Crockett	36,964
Washington	Wenatchee/Okanogan	362,123	Montana	Ravalli	36,070
Oregon	Rogue/Umpqua	314,018	California	Lassen	33,828
Idaho	Eastern	301,991	California	Del Norte	27,554
Washington	North Mt. Baker-Snoquali	mie 269,793	Washington	Southeast Washington F	orests 22,948
Arizona	Eastern Arizona Countie	s 260,264	California	Plumas	20,824
Mississippi	Southwest Mississippi	190,560	Montana	Tri-County	19,427
Oregon	Northeast Oregon	179,574	Montana	Lincoln	18,837
Idaho	Panhandle Counties	178,333	Montana	Madison-Beaverhead	16,053
California	Shasta	163,256	Idaho	Central	15,047
Oregon	Deschutes/Ochoco	159,109	Alaska	Ketchikan	14,070
Oregon	Siskiyou	149,578	California	Trinity	13,022
Washington	Olympic Peninsula	139,883	Montana	Sanders	10,227
California	Madera	123,109	California	Modoc	9,449
Washington	South Gifford Pinchot	121,981	Alaska	Wrangell-Petersburg	6,684
Idaho	North Central	97,431	Wyoming	Crook	5,887
California	Mendocino	86,265	Washington	Columbia County	4,064
Montana	Flathead	74,471	Montana	Mineral	3,884
Washington	North Gifford Pinchot	68,600	California	Sierra	3,555
Washington	Grays Harbor	67,194	New Mexico	Catron	3,543
Washington		•	California	Alpine	1,208
Oregon	Winema/Fremont	58,442	Alaska	Yakutat	808

NOTE: Populations of counties with more than one advisory committee are pro-rated depending on the amount of funds the county gives to a particular RAC. For example, if County X gives 80% of its funds to RAC A and 20% of its funds to RAC B then 80% of the population of County X is used in determining the available population of RAC A and 20% of County X's population is used in determining the available population of RAC B.

Source: 2000 U.S. Census (not 2003 estimate) http://quickfacts.census.gov

Entries in italics indicate that the advisory committee has not recommended a project as of 12/2003

APPENDIX I: RAC Members' Survey Responses

Using RAC membership information obtained from the U.S. Forest Service national RAC website, the total population of RAC members available to fill out the survey was 774. In all, 233 respondents, or 30.1% of RAC members responded to this survey.

The following is a list of responses for **all closed-ended questions** asked in the survey. Responses to open-ended questions are not included.

1. Name of RAC

Name of RAC Frequence	cy
Colville	1
Alpine County	1
Central Idaho	1
Columbia County	1
Crook County11	1
Del Norte County	7
Eastern Arizona Counties Organization 6	5
Eastern Idaho5	5
Flathead County 12	2
Fresno County 12	2
Glenn/Colusa County2	2
Grays Harbor3	3
Hood & Willamette	1
Idaho Panhandle11	1
Lake County 10)
Lassen County2	2
Lincoln County	7
Madera County3	3
Mineral County2	2
Modoc County10	
North Central Idaho	
North Gifford Pinchot6	5
North Mt. Baker-Snoqualmie3	3
Northeast Oregon Forests	3

Name of RAC	Frequency
Olympic Peninsula	7
Plumas County	7
Ravalli County	2
Rogue & Umpqua	1
Sanders County	6
Shasta County	3
Siskiyou (Oregon)	5
Siskiyou County (California)	10
Siuslaw	
Snohomish County	5
South Gifford Pinchot	5
Southeast Washington Forests	2
Southwest Idaho	9
Tehama County	5
Trinity County	6
Tuolumne County	9
Wenatchee/Okanogan	2
Winema & Fremont	6
Wrangell-Petersburg	1
Yakutat	1
Other/Did Not State	6
Total	239

2. Choose the interest to which you were appointed (respondents were actually asked to list the specific interest they represented. The table below simply notes the specific category, or subgroup, that each respondent represents).

Subgroup	Frequency	Percent
Category A (Industry)	89	37.4
Category B (Environmental)	79	33.1
Category C (Government)	71	29.7
Total	239	100.0

3. I have a better understanding/appreciation for the role that federal land management agencies play in the community and/or on National Forest lands than I did before becoming a RAC member.

		Frequency	Percent		Cumulative Percent
Valid	Strongly Disagree	e 4	1.7	1.7	1.7
	Disagree	33	13.8	14.0	15.7
	No Opinion	17	7.1	7.2	23.0
	Agree	108	45.2	46.0	68.9
	Strongly Agree	73	30.5	31.1	100.0
	Total	235	98.3	100.0	
Missing	0	4	1.7		
Total		239	100.0		

4. This RAC has improved cooperative relationships among RAC members, especially those representing different groups.

		Frequency	Percent		Cumulative Percent
Valid	Strongly Disagree	e 1	4	4	4
	Disagree	19	7.9	8.0	8.4
	No Opinion	15	6.3	6.3	14.8
	Agree	113	47.3	47.7	62.4
	Strongly Agree	89	37.2	37.6	100.0
	Total	237	99.2	100.0	
Missing	0	2	8		
Total		239	100.0		

5. I feel that my RAC has been successful at improving cooperative relationships between local federal land management officials and community members.

		Frequency	Percent		Cumulative Percent
Valid	Strongly Disagree	· 3	1.3	1.3	1.3
	Disagree	12	5.0	5.1	6.3
	No Opinion	36	15.1	15.2	21.5
	Agree	117	49.0	49.4	70.9
	Strongly Agree	69	28.9	29.1	100.0
	Total	237	99.2	100.0	
Missing	0	2	8		
Total		239	100.0		

6. The composition of the fifteen member RAC as prescribed in PL 106-393 is a fair reflection of the different interests represented in my area.

		Frequency	Percent		Cumulative Percent
Valid	Strongly Disagree	3	1.3	1.3	1.3
	Disagree	27	11.3	11.3	12.6
	No Opinion	4	1.7	1.7	14.3
	Agree	32	55.2	55.5	69.7
	Strongly Agree	72	30.1	30.3	100.0
	Total	238	99.6	100.0	
Missing	0	1	4		
Total		239	100.0		

7. The requirement in PL 106-393 that RAC approval of projects requires a majority in each of the three 5-member sub-groups has been helpful to the RAC's decision making processes when most of the members are present.

		Frequency	Percent		Cumulative Percent
Valid	Strongly Disagre	e 4	1.7	1.7	1.7
	Disagree				
	No Opinion	14	5.9	5.9	16.9
	Agree	28	53.6	54.0	70.9
	Strongly Agree	69	28.9	29.1	100.0
	Total	237	99.2	100.0	
Missing	0	2	8		
Total		239	100.0		

8. The requirement that replacement members can't vote when full members are absent from meetings has been a problem for efficient RAC meeting management.

		Frequency	Percent		Cumulative Percent
Valid	Strongly Disagree	12	5.0	5.1	5.1
	Disagree	57	23.8	24.1	29.1
	No Opinion	52	21.8	21.9	51.1
	Agree	78	32.6	32.9	84.0
	Strongly Agree	38	15.9	16.0	100.0
	Total	237	99.2	100.0	
Missing	0	2	8		
Total		239	100.0		

9. From what group(s) do the majority of the projects that are approved and funded by your RAC originate?

	Frequency	Percent	Valid Percent	Cumulative Percent
Valid	RAC Members 6	2.5	3.0	3.0
	Federal Agencies 135	56.5	68.5	71.6
	State Agencies2	8	1.0	72.6
	County or City Agencies or Elected Officials 9	3.8	4.6	77.2
	Private or nonprofit entities that have become aware of Title II funds available for projects 26	10.9	13.2	90.4
	Other 19	7.9	9.6	100.0
	Total 197	82.4	100.0	
Missing	0 42	17.6		
Total	239	100.0		

10. The RAC I serve on has been effective in soliciting projects from parties other than the local Forest Service or BLM office.

		Frequency	Percent		Cumulativ Percent
Valid	Strongly Disagree	8	3.3	3.4	3.4
	Disagree	43	18.0	18.1	21.5
	No Opinion	14	5.9	5.9	27.4
	Agree	141	59.0	59.5	86.9
	Strongly Agree	31	13.0	13.1	100.0
	Total	237	99.2	100.0	
Missing	0	2	8		
Total		239	100.0		

11. Over the time it has been operating, the RAC I serve on has changed in the way that it operates to review and approves projects (e.g. the RAC uses subcommittees to screen projects or the RAC meets more frequently or less frequently than it used to).

		Frequency	Percent	Valid Percent	Cumulativ Percent
Valid	No Opinion	24	10.0	10.1	10.1
	Disagree, our RAC continues to ope in the same man	rate	47.7	47.9	58.0
	Agree, our RAC hamade adjustmento its operations.	ts	41.8	42.0	100.0
	Total	238	99.6	100.0	
Missing	0	1	4		
Total		239	100.0		

12. Over the time it has been operating, there has been a change in the type of projects that this RAC recommends for funding.

		Frequency	Percent		Cumulative Percent
Valid	Strongly Disagree	e 7	2.9	2.9	2.9
	Disagree	101	42.3	42.4	45.4
	No Opinion	47	19.7	19.7	65.1
	Agree	70	29.3	29.4	94.5
	Strongly Agree	13	5.4	5.5	100.0
	Total	238	99.6	100.0	
Missing	0	1	4		
Total		239	100.0		

13. Our committee's members are well prepared for meetings.

		Frequency	Percent		Cumulative Percent
Valid	Disagree	14	5.9	5.9	5.9
	No Opinion	16	6.7	6.8	12.7
	Agree	152	63.6	64.4	77.1
	Strongly Agree	54	22.6	22.9	100.0
	Total	236	98.7	100.0	
Missing	0	3	1.3		
Total		239	100.0		

14. Our committee's staff members are well prepared for meetings.

		Frequency	Percent		Cumulative Percent
Valid	Strongly Disagree	e 4	1.7	1.7	1.7
	Disagree				
	No Opinion	7	2.9	3.0	8.4
	Agree	104	43.5	43.9	52.3
	Strongly Agree	113	47.3	47.7	100.0
	Total	237	99.2	100.0	
Missing	0	2	8		
Total		239	100.0		

15. Our committee has access to senior managers and agency technical experts when needed.

		Frequency	Percent		Cumulative Percent
Valid	Strongly Disagree	· 1	4	4	4
	Disagree	5	2.1	2.1	2.5
	No Opinion				
	Agree	131	54.8	55.3	64.1
	Strongly Agree	85	35.6	35.9	100.0
	Total	237	99.2	100.0	
Missing	0	2	8		
Total		239	100.0		

16. Our committee meets often enough to accomplish its work.

		Frequency	Percent		Cumulative Percent
Valid	Strongly Disagree	<u></u> 1	4	4	4
	Disagree				
	No Opinion	2	8	8	5.9
	Agree				
	Strongly Agree	87	36.4	36.7	100.0
	Total	237	99.2	100.0	
Missing	0	2	8		
Total		239	100.0		

17. I feel that PL 106-393 should be renewed after Fiscal Year 2006.

		Frequency	Percent		Cumulative Percent
Valid	Strongly Disagree	· 3	1.3	1.3	1.3
	Disagree	3	1.3	1.3	2.5
	No Opinion	24	10.0	10.2	12.7
	Agree	49	20.5	20.8	33.5
	Strongly Agree	157	65.7	66.5	100.0
	Total	236	98.7	100.0	
Missing	0	3	1.3		
Total		239	100.0		

18. Section 206 (a) (2) of PL 106-393 provides federal land managers the discretion to use appropriated funds to add funding to Title II projects. If this discretion has been used in your RAC area, are you satisfied with how it has been used?

	F	requency	Percent	Valid Percent	Cumulative Percent
Valid	I do not know when this discretion has been used in my RA		23.8	24.5	24.5
	This discretion has not been used in my RAC	39	16.3	16.7	41.2
	Very Dissatisfied	2	8	9	42.1
	Dissatisfied	4	1.7	1.7	43.8
	Neither Satisfied Nor Dissatisfied	28	11.7	12.0	55.8
	Satisfied	73	30.5	31.3	87.1
	Very Satisfied	30	12.6	12.9	100.0
	Total	233	97.5	100.0	
Missing	0	6	2.5		
Total		239	100.0		

19. Select the response that best reflects the amount of funding available annually to this RAC.

	Frequency	Percent	Valid Percent	Cumulativ Percent
Valid	This RAC does not have enough money available to make a meaningful difference for the resources in our area and it is probably not worth the costs to hold RAC meetings			
	This RAC has enough funding available to have an effect on the resources and communities in our area	74.9	76.2	99.1
	in our area2 2	8	9	100.0
	Total235	98.3	100.0	
Missing	04	1.7		
Total	239	100.0		

20. I am satisfied with the overall performance of my RAC given the amount of money it has available to work with.

		Frequency	Percent		Cumulative Percent
Valid	Disagree	11	4.6	4.6	4.6
	No Opinion	7	2.9	2.9	7.5
	Agree	103	43.1	43.1	50.6
	Strongly Agree	118	49.4	49.4	100.0
	Total	239	100.0	100.0	
Missing	0				
Total		239	100.0	·	

APPENDIX J: Forest Service Officials' Survey Responses

Using RAC the names of Forest Service contacts listed on the U.S. Forest Service national RAC website, the total population of Forest Service officials available to fill out this survey was 106. In all, 80 respondents, or 75.5% of Forest Service officials responded to this survey.

The following is a list of response rates for all closed-ended questions asked in the survey. Responses to most open-ended questions are not included here, however two questions have been modified here in order to present nominal level data.

1. Name of RAC

Name of RAC Frequency
Alpine County1
Columbia County 1
Crook County1
Del Norte County 1
Eastern Arizona Counties Organization 1
Eastern Idaho2
Flathead County 2
Fresno County 1
Glenn/Colusa County 3
Grays Harbor 1
Hood & Willamette1
Idaho Panhandle3
Lake County2
Lassen County 5
Lincoln County1
Madera County1
Mineral County2
Modoc County3
North Central Idaho1
North Gifford Pinchot 1
Northeast Oregon Forests 6

Name of RAC Frequency	y
Olympic Peninsula2	
Plumas County 2	
Ravalli County 6	
Rogue & Umpqua1	
Sanders County 3	
Shasta County4	
Sierra County2	
Siskiyou (Oregon)1	
Siskiyou County (California)	
Siuslaw 1	
Snohomish County1	
South Gifford Pinchot1	
Southeast Washington Forests 1	
Southwest Idaho 1	
Tehama County3	
Tuolumne County 2	
Wenatchee/Okanogan 2	
Yakutat1	
Other/Not Applicable 4	
Total 80	_

2. Job title in relation to the RAC

		Frequency	Percent	Valid Percent	
Valid	Designated Federal Official	26	32.5	32.5	32.5
	Committee Coordinator	21	26.3	26.3	58.8
	Other	33	41.3	41.3	100.0
	Total	80	100.0	100.0	

3. I feel that this RAC has been successful at improving cooperative relationships between local federal officials and community members.

		Frequency	Percent		Cumulative Percent
Valid	Disagree	1	1.3	1.3	1.3
	No Opinion	3	3.8	3.8	5.0
	 Agree				
	Strongly Agree	42	52.5	52.5	100.0
	Total	80	100.0	100.0	

4. I feel that this RAC has improved cooperative relationships between RAC members, especially those representing different groups.

		Frequency	Percent		Cumulative Percent
Valid	Disagree	1	1.3	1.3	1.3
	No Opinion	3	3.8	3.8	5.0
	Agree	44	55.0	55.0	60.0
	Strongly Agree	32	40.0	40.0	100.0
	Total	80	100.0	100.0	

5. The requirement in PL 106-393 that RAC approval of projects requires a majority in each of the three 5-member sub-groups has been helpful to this RAC's decision making processes when the majority of the members have been present.

		Frequency	Percent		Cumulative Percent
Valid	Strongly Disagree	2	2.5	2.5	2.5
	Disagree	6	7.5	7.5	10.0
	No Opinion	7	8.8	8.8	18.8
	Agree	38	47.5	47.5	66.3
	Strongly Agree	27	33.8	33.8	100.0
	Total	80	100.0	100.0	

6. The requirement that replacement members can't vote when full members are absent from meetings has been a problem for efficient RAC meeting management.

		Frequency	Percent		Cumulative Percent
Valid	Strongly Disagree	3	3.8	3.8	3.8
	Disagree	19	23.8	23.8	27.5
	No Opinion	14	17.5	17.5	45.0
	Agree	27	33.8	33.8	78.8
	Strongly Agree	17	21.3	21.3	100.0
	Total	80	100.0	100.0	

7. In your opinion, has being part of a FACA committee been helpful in achieving the results for which RACs were intended?

		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	No, it has been a hindrance	4	5.0	5.0	5.0
	Neither helpful or unhelpful	22	27.5	27.5	32.5
	Yes, somewhat helpful	26	32.5	32.5	65.0
	Yes, very helpful.	28	35.0	35.0	100.0
	Total	80	100.0	100.0	

8. How would you describe the attitude of other Forest Service or BLM officials in your area towards the development and administrative support of this RAC?

		Frequency	Percent		Cumulative Percent
Valid	No Opinion	8	10.0	10.3	10.3
	Agree	18	22.5	23.1	33.3
	Strongly Agree	52	65.0	66.7	100.0
	Total	78	97.5	100.0	
Missing	0	2	2.5		
Total	80	100.0			

9. Were any agency officials opposed to the formation of this RAC?

		Frequency	Percent		Cumulative Percent
Valid	Yes	11	13.8	13.8	13.8
	No	69	86.3	86.3	100.0
	Total	80	100.0	100.0	

Note: Actual question was open-ended.

10. How would you describe the attitude of the county or counties that compose this Advisory Committee towards this RAC?

		Frequency	Percent		Cumulative Percent
Valid	No Opinion	5	6.3	6.3	6.3
	Agree	33	41.3	41.3	47.5
	Strongly Agree	42	52.5	52.5	100.0
	Total	80	100.0	100.0	

11. Were any county officials opposed to the formation of this RAC?

		Frequency	Percent		Cumulative Percent
Valid	Yes	10	12.5	12.5	12.5
	No	70	87.5	87.5	100.0
	Total	80	100.0	100.0	

Note: Actual question was open-ended.

12. I feel that PL 106-393 should be renewed after Fiscal Year 2006.

		Frequency	Percent	Valid Percent	
Valid	Strongly Disagree	1	1.3	1.3	1.3
	Disagree	1	1.3	1.3	2.5
	Agree	16	20.0	20.0	22.5
	Strongly Agree	62	77.5	77.5	100.0
	Total	80	100.0	100.0	

13. In some counties that accepted stable payments under PL 106-393, Federal Payment(s) In-Lieu of Taxes (PILT) decreased when a county allocated some of its stable payment for uses under Title III of the act. To your knowledge, was the impact to PILT payments one of the factors that led one or more counties within this RAC to place more funds in Title II, since Title II funds do not count against the PILT payment.

	ı	requency	Percent	Valid Percent	Cumulative Percent
Valid	No decrease in PILT payments would ha occurred by keepin	ave			
	the funds in Title III	8	10.0	10.0	10.0
	I Don't Know	44	55.0	55.0	65.0
	No	9	11.3	11.3	76.3
	Yes	19	23.8	23.8	100.0
	Total	80	100.0	100.0	

14. Select the response that best reflects the amount of funding available annually to this RAC.

Frequency	Percent	Valid Percent	Cumulative Percent
This RAC does not have enough money available to make a meaningful difference for the resources in our area and it is probably not worth the costs to hold RAC meetings	1.3	1.3	1.3
enough money available but should continue to hold RAC meetings 16	20.0	20.0	21.3
This RAC has enough funding available to have an effect on the resources and communities in our area	76.3	76.3	97.5
	This RAC does not have enough money available to make a meaningful difference for the resources in our area and it is probably not worth the costs to hold RAC meetings	This RAC does not have enough money available to make a meaningful difference for the resources in our area and it is probably not worth the costs to hold RAC meetings	Frequency Percent Percent This RAC does not have enough money available to make a meaningful difference for the resources in our area and it is probably not worth the costs to hold RAC meetings

This RAC has so much money that it faces a challenge to allocate funds for projects

Total	80	100.0	100.0	
in our area	2	2.5	2.5	. 100.0

15. I am satisfied with the overall performance of this RAC given the amount of money it has available to work with.

		Frequency	Percent		Cumulative Percent
Valid	Disagree	3	3.8	3.8	3.8
	No Opinion	1	1.3	1.3	5.0
	Agree				
	Strongly Agree				
	Total	80	100.0	100.0	

16. Section 206 (a) (2) of PL 106-393 provides federal land management agencies with the discretion to use appropriated funds to add funding to Title II projects. If this discretion has been used in your RAC area, are you satisfied with how it has been used?

	F	requency	Percent	Valid Percent	Cumulative Percent
Valid	I do not know whet this discretion has been used in this R		15.0	15.2	15.2
	This discretion has not been used in this RAC	6	7.5	7.6	22.8
	Dissatisfied	2	2.5	2.5	25.3
	Neither Satisfied Nor Dissatisfied	7	8.8	8.9	34.2
	Satisfied	38	47.5	48.1	82.3
	Very Satisfied	14	17.5	17.7	100.0
	Total	79	98.8	100.0	
Missing	0	1	1.3		
Total	80	100.0			

17. What percentage of overhead is charged by your agency as allowed under Section 206(a)(1)(B) of the legislation?

		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	0.00%				15.6
	1.00%	1	1.3	1.6	17.2
	3.00%	4	5.0	6.3	23.4
	4.00%	1	1.3	1.6	25.0
	5.00%	4	5.0	6.3	31.3
	6.00%	2	2.5	3.1	34.4
	7.00%	1	1.3	1.6	35.9
	8.00%	7	8.8	10.9	46.9
	10.00%	5	6.3	7.8	54.7
	12.00%	1	1.3	1.6	56.3
	12.50%	7	8.8	10.9	67.2
	15.00%	1	1.3	1.6	68.8
	18.00%	6	7.5	9.4	78.1
	19.00%	4	5.0	6.3	84.4
	19.50%	1	1.3	1.6	85.9
	19.60%	2	2.5	3.1	89.1
	Amount Varies	7	8.8	10.9	100.0
	Total	64	80.0	100.0	
Missing	No Response	16	20.0		
Total		80	100.0		

Note: Actual question was open-ended.